

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.3953 of 2022

Brundaban Chandra Mohanty

....

Petitioner

Mr. P.K. Nayak-I, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. Y.S.P. Babu, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

10.03.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned counsel for the State.
3. The present writ petition has been filed by the Petitioner seeking a direction to the opposite parties to release all his retirement benefits, such as pension, gratuity, commutated leave salary, salary of suspension period, arrear increments etc.
4. It is submitted by learned counsel for the Petitioner that the Petitioner has been filed representations before the Superintending Engineer, Tata Power North Odisha Distribution Ltd. (TPNODL), Balasore, Electrical Circle, Balasore-Opposite Party No.3 on 31.05.2018 and 25.08.2021 but the said Opposite Party has not considered the same as of now. He further submits that despite several years have been passed in the meantime, no decision has been taken on such representations. Further relied upon to the judgment of

the Hon'ble Supreme Court in the case of *State of Jharkhand and Ors. Vrs. Jitendra Kumar Srivastava and another* vide judgment dated 14.08.2013.

5. Learned counsel for the State submits that he has no objection, if a direction is given to the authorities to consider the representation of the Petitioner within a stipulated period of time.

6. Having regard to the submissions made by learned counsel for the parties, this Court directs the petitioner to approach the Superintending Engineer, Tata Power North Odisha Distribution Ltd. (TPNODL), Balasore, Electrical Circle, Balasore-Opposite Party No.3 along with relevant copies of the judgment as stated hereinabove. In the event the petitioner submits the relevant documents along with certified copy of this order, the same shall be considered in accordance with law within a period of two months thereafter. Further in the event, the Petitioner is found suitable and eligible for getting the relief as per the judgment of the Hon'ble Supreme Court, he shall be allowed within a period of two months thereof. It is needless to mention here that the representations of the Petitioner shall be considered by passing a speaking and reasoned order on the same. Any decision taken on the same shall be communicated to the Petitioner within a period of ten days thereafter.

7. With the aforesaid direction, the writ petition stands disposed of.

8. Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge