

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.4086 of 2022

Jitendra Kumar Dash

....

Petitioner

Mr. Rashmikanta Mahaik, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. P.K.Rout, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

28.10.2022

Order No.

03.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner as well as learned Additional Government Advocate.
3. The present writ petition has been filed by the Petitioner with the following prayer:

“It is, therefore prayed that Your Lordships may be graciously pleased to admit this writ application, issue notice of Rule Nisi calling upon the Opposite Parties to show cause as to why the Petitioner shall not be given appointment in Group-D post under the Rehabilitation Assistance Scheme and upon their showing no cause or insufficient cause make the said rule absolute;

And pass such other order/orders or to issue such other writ/writs, as would afford, complete relief

to the Petitioner;

And for this act of kindness the Petitioner shall as in duty bound ever pray.”

4. It is further submitted by learned counsel for the petitioner that although the petitioner has filed representation dated 20.03.2017, under Annexure-1 before the Executive Engineer, P.H.Division-1, Cuttack-Opposite Party No.3, the same is still pending before the said Opposite party and the said Opposite Party has not taken any decision as of now.

5. Learned counsel appearing for the State submits that he has no objection, if a direction is given to the authorities to consider the grievance petition of the petitioner in accordance with law within a stipulated period of time.

6. Considering the submissions made by the respective parties and the limited nature of grievance involved in the present writ petition and further keeping in view the case of the petitioner, this Court disposes of the writ petition at the stage of admission with a direction to the Executive Engineer, P.H.Division-1, Cuttack-Opposite Party No.3 to consider the representation of the Petitioner dated 20.03.2017 under Annexure-1 in accordance with law within a period of two months from the date of production of certified copy of this order keeping in view the decision of the Hon’ble Apex Court in the case of *State of Madhya Pradesh vs. Ashish Awasthi*, reported in **2021(II) OLR (SC) 1072**. It is needless to mention here that the representation of the petitioner shall be considered and disposed of 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 above direction, the writ petition stands disposed of.
8. Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge

RKS

