

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 4304 of 2022*Nirmal Kumar Jena*

.....

*Petitioner**Mr. J. Sahu, Advocate*

Vs.

State of Odisha and others

.....

Opposite parties

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

16.02.2022

Order No.

1

This matter is taken up through hybrid mode.

2. Heard.

3. The petitioner has filed this writ petition praying to quash the order of suspension and to direct the opposite parties to reinstatement the petitioner in service and extend all service benefits taking into consideration the judgment passed by the apex Court in the case of *Ajay Kumar Choudhury Vrs. Union of India (UOI) and others*, (2015) AIR SC 2389.

4. In course of hearing, learned counsel for the petitioner states that highlighting the grievances, the petitioner has made a representation to opposite party No.3 vide Annexure-6 and the same may be directed to be considered within a stipulated time, taking into consideration the ratio decided in the case of *Ajay Kumar Choudhury* (supra), to which learned counsel for the State has no objection.

5. As agreed to by learned counsel for the parties, this Court, without expressing any opinion on the merits of the case, disposes of the writ petition directing opposite party No.3 to consider the representation filed by the petitioner vide Annexure-6, taking into consideration the ratio decided in the case of *Ajay Kumar Choudhury* (supra) and pass appropriate order in accordance with law within a period of three months from the date of production of certified copy this order.

6. Issue urgent certified copy as per rules.

Ashok

(DR. B.R. SARANGI, J.)