

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.5014 of 2022

Sujata Bindhani

....

Petitioner

Mr. Rabinarayan Nayak, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. K.K. Nayak, ASC for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

08.04.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. Heard learned counsel for both the parties.

3. This writ petition has been filed by the Petitioner with the following relief:

“ It is therefore prayed that this Hon’ble Court may graciously be pleased to issue a Writ of Mandamus or any other Writ directing the opp. Parties, more particularly the opp. Party No.3 to take appropriate action for reengagement of the petitioner in service within a stipulated time considering the facts that she is a trained and experienced personnel who is available at hand.”

4. It is submitted by learned counsel for the Petitioner that Petitioner was appointed as a Contractual Forest Guard in the Similipal Tiger Reserve, Baripada, under Opposite Party no.3. She was discharging her duty for last 8 years. While continuing as such, she availed leave from 30.01.2013 to 10.01.2014 for continuous treatment of her handicapped daughter. After some improvement of her daughter, she submitted her joining report on 11.01.2014 FN. But the same was not accepted by the Opposite Parties, for which, she is now out of job and facing acute financial crisis.

5. Learned counsel for the State on the other hand submits that Petitioner was absent for 3 years and thereafter she came back and submit her joining report, which cannot be accepted for a contractual employee.

6. Learned counsel for the Petitioner submits that Petitioner ventilating her grievance filed a representation before the Opposite Party No.1 on 18.08.2021. It is stated that the same is pending for consideration before the Authority. Accordingly, a prayer has been made to direct the Opposite Party No.1 to dispose of the said representation within a stipulated period of time.

7. Considering the limited nature of grievance and considering the facts and circumstances of the case, this Court directs the Opposite Party No.3 to consider the representation of the Petitioner dated 18.08.2021 (Annexure-15) within a period of three months from the date of receipt of certified copy of this order, strictly in accordance with law, by passing a speaking and reasoned order. Decision so taken be communicated to the petitioner within a period of two weeks thereafter.

8. With the above direction, the writ petition stands disposed of.

9. Issue urgent certified copy of this order on proper application.

(A.K. Mohapatra)
Judge