

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.5145 of 2022

Satyajit Nayak

..... Petitioner
Mr. R.K.Nayak, Advocate

-versus-

State of Odisha & others

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

21.03.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Additional Government Advocate.
3. Examined the writ application as well as the documents annexed to the writ application.
4. It is submitted by the learned counsel for the Petitioner that the Petitioner is a handicapped person and being aggrieved by the action of his employer approached the State Commissioner for Persons with Disabilities, Odisha by filing case bearing SCPD Case No.25 of 2019. The aforesaid case was heard and considered by the Commissioner for Persons with Disabilities vide order dated 01.10.2019. The matter has been disposed of wherein at paragraph-9 of the order it has been observed as follows:

“9. However on the intervention of the State commissioner for persons with Disabilities the Respondent No.2 (DFO, Khordha) assured to engage the complainant in any other work depending on his suitability that will be available in the Office in near future. Respondents assured that as the job of Para Worker in night time is not safe for the Complainant as he is a visually impaired person, they would give priority to engage the Complainant in any other work

suitable to him. Complainant is advised to explore the assurance given by the Respondents.”

5. It is further submitted by the learned counsel for the Petitioner that after disposal of the SCPD case No.25 of 2019 he had approached the Regional Chief Conservator of Forests, Bhubaneswar Circle by filing a representation. He further submits that no action has been taken on the representation of the Petitioner as of now.

6. Learned counsel for the State on the other hand submits that it is not known whether the representation of the Petitioner has been reached to the authority or not. However, in the event the Petitioner files a fresh representation, the same shall be considered in accordance with law and in the light of the order passed by the State Commissioner for Persons with Disabilities.

7. Having heard learned counsel for the parties, this Court disposes of the writ application with a direction to the Petitioner to file a fresh representation along with supporting documents highlighting his grievance before the Regional Chief Conservator of Forests, Bhubaneswar Circle, Opposite Party No.2 within a period of two weeks from today along with the certified copy of this order. In event such a representation is filed, the same shall be considered and disposed of by a speaking and reasoned order in the light of the order passed by the State Commissioner for Persons with Disabilities within a period of two months thereafter. The decision so taken on the representation of the petitioner shall be communicated to the Petitioner within a period of two weeks thereafter.

8. With the aforesaid observation, the writ application is disposed of.

9. Issue urgent certified copy of this order as per Rules.

