

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.6153 of 2022

Lelin Kumar Patel

....

Petitioner

Mr.Naresh Ch. Jena, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

11.04.2022

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. The Petitioner has filed this writ petition with the following prayer:

“The Petitioner therefore humbly prays that Your Lordship may graciously be pleased to issue a Rule Nisi calling upon the Opposite parties to show cause as to why action shall not be taken against the Opposite party Nos. 2 and 3 for their illegal action in not taking any steps to provide Provident Funds benefits to the Petitioner and as to why the benefit under Employees’ Provident Funds & MP Act 1952 shall not be extended to the Petitioner and if the Opposite Parties failed to show cause or shown insufficient cause the rule may be made absolute against the Opposite Parties;

And any other appropriate writ/writs, direction/directions, order/orders may kindly be passed/ issued as this Hon’ble Court consider fit and proper.

4. It is submitted by the learned counsel for the Petitioner that the Petitioner has filed a detailed representation before the Executive

Engineer, Rural Water Supply & Sanitation (RWS&S) Division, Sundargarh, Opposite party No.2 on 16.01.2019 under Annexure-10 ventilating his grievance. He further submits that no action has been taken on the representation of the Petitioner as of now.

5. Learned Additional Government Advocate submits that he has no objection if a direction is given to the Opposite Party No.2 to consider and dispose of the representation of the Petitioner within a stipulated period of time strictly in accordance with law.

6. Considering the aforesaid submissions, the writ application is disposed of at the stage of admission with a direction to Opposite Party No.2 to consider and dispose of the representation of the Petitioner under Annexure-10 within a period of six weeks from the date of production of certified copy of this order. It is further directed that the Opposite Party no.2 shall do well to consider the representation strictly in accordance with law and dispose of the same, if there is no other legal impediment, by passing a speaking and reasoned order. The decision so taken on the representation of the Petitioner shall be communicated to the Petitioner within a period of two weeks thereafter. It is also directed that the amount shall be deposited before the EPF authority within four weeks thereafter.

7 With the aforesaid observation the writ application stands disposed of.

8. Issue urgent certified copy as per Rules.

RKS

(A.K. Mohapatra)
Judge