

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.7024 of 2022

Jagmohan Dakua & others

....

Petitioners

Mr.T.K.J. Samanta, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. YSP Babu, AGA for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

07.04.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioners as well as learned counsel for the State.
3. The writ petition has been filed by the Petitioners with the following relief:

“In view of the above, it is therefore, prayed that this Hon’ble Court may graciously be pleased to:

- a) Issue Rule NISI calling upon the Opp. Parties to show cause as to why the petitioner shall not be allowed for up-gradation/Promotion from the post of Junior Clerk to Senior Clerk in accordance with the Annexure-1.
 - b) If the Opp. Parties failed to show cause or show insufficient or false cause make the Rule NISI absolute and allow this writ petition with cost.
 - c) And pass such other suitable and further orders as this Hon’ble Court may deem fit and proper in the interest of justice.”
4. It is submitted by learned counsel for the Petitioners that they have submitted a representation highlighting their grievance,

which is pending before the Director-cum-Special Secretary to Govt., ST and SC Development Department, Govt. of Odisha, Bhubaneswar, Opposite Party No.3. It is further submitted that no action has been taken on such representation of the Petitioners as of now.

5. Learned counsel for the State submits that there is no proof that the Petitioners have communicated the representation under Annexure-6 to the Authority. In such view of the matter, learned counsel for the State submits that let the Petitioners be directed to file fresh representation before the Opposite Party No.3 highlighting their grievance before the Authority and the Authority shall also be directed to dispose of the same in accordance with law within a stipulated period of time.

6. Considering submissions made by the parties, this Court disposes of the writ petition with a direction to the Petitioners to file a fresh representation highlighting their grievance along with all supporting documents within a period of the two weeks hence. In such event, the Opposite Party No.3 shall consider the said representation of the Petitioners strictly in accordance with law and dispose of the same by passing a speaking and reasoned order within a period of two months. Decision so taken be communicated to the Petitioners within a period of two weeks thereafter.

7. With the aforesaid direction, the writ petition stands disposed of.

8. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge