

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.7363 of 2022

Banamali Jena

....

Petitioner

Mr.Umakanta Sahoo, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr.P.C.Das, A.S.C.

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

“In the above facts and circumstances the Petitioner therefore humbly prays that Your Lordships may graciously be pleased

- i) To issue writ of mandamus or a writ in the nature of mandamus or any other appropriate writ(s), direction(s) or order(s) commanding to the Opposite Party No.1 to regularise this Petitioner’s service in his present post as a Laboratory Assistant in the department of Physics under the IGIT with all consequential service benefits as applicable to him with effect from his entry into the post, within a time limit as the Hon’ble Court deems proper in the interest of justice.
- ii) And may pass any other appropriate order(s)/writ(s)/direction(s) as the Hon’ble High Court deems fit and proper in the interest of justice.”

4. It is submitted by the learned counsel for the Petitioner that the Petitioner has filed a detailed representation highlighting his grievance before the Principal Secretary to Government Department of Employment of Technical Education and Training, Bhubaneswar, Opposite Party No.1 under Annexue-8. He further submits that no action has been taken on the representation of the Petitioner as of now.

5. Learned Additional Standing Counsel submits that he has no objection if a direction is given to the, Opposite Party No.1 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.1 to consider and dispose of the representation of the Petitioner under Annexure-8 within a period of three months from the date of production of certified copy of this order keeping in view the judgment of the Hon'ble Apex Court in **State of Karnataka v. Umadevi, 2006(4) SCC 1** and **State of Karnataka and others v. M.L.Keshari and others, 200(11) OLR (SC) 982**. The Opposite Party no.1 shall do well to consider the representation of the Petitioner strictly in accordance with law and dispose of the same 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.

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

8. Issue urgent certified copy as per Rules.

