

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.7444 of 2022

Satambar Pradhani

Petitioner
....
Mr. Gopal Sinha, Advocate

-versus-

State of Odisha and others

Opposite Parties
....
Mr. YSP Babu, AGA for State

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
23.03.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. The present writ petition has been filed by the Petitioner challenging the order 15.04.2020 (Annexure-1), passed by the Principal Secretary to Govt. Panchayatiraj and Drinking Water Department, Odisha. It was further prayed to invoke the provisions under Rule 12(5) of the O.C.S. (C.C. & A) Rules, 1962 and for a direction to the Opposite Parties to pay the subsistence allowance @75% after one year w.e.f. 16.12.2020 as per Rule 90(1)(a)(i) of Orissa Service Code till the period he is reinstated.
4. It is submitted by learned counsel for the Petitioner that highlighting his grievance, Petitioner has submitted a representation before the Director, Panchayati Raj & Drinking Water Department, Govt. of Odisha, Bhubaneswar, Opposite Party No.2 dated

08.10.2021 (Annexure-5) along with all supporting documents. However, it is further submitted that till date, no action has been taken on the said representation of the Petitioner.

5. Learned counsel for the State on the other hand submits that if the matter is pending, the Authority may be directed to look into the same and dispose of in accordance with law within a stipulated period of time.

6. Considering the aforesaid observation, this Court disposes of the writ petition with a direction to the Opposite Party No.2 to consider the dispose of representation of the Petitioner dated 08.10.2021 (Annexure-5) within a period of two months from the date of production of certified copy of this order by passing a speaking and reason order thereon. Further Opposite Party No.2 shall also consider the representation of the Petitioner with regard to grant of subsistence allowance as provided in law within a period of four weeks thereafter. Decision so taken on the representation be communicated to the Petitioner within a period of two weeks.

7. With the above direction, the Writ Petition stands disposed of.

8. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge