

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.7529 of 2022

Prafulla Kumar Biswal

....

Petitioner

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 Petitioner as well as learned counsel for the State.
3. The writ petition has been filed by the Petitioner 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 Petitioner that he has submitted a representation highlighting his 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 Petitioner as of now.

5. Learned counsel for the State submits that there is no proof that the Petitioner has communicated the representation under Annexure-5 to the Authority. In such view of the matter, learned counsel for the State submits that let the Petitioner be directed to file fresh representation before the Opposite Party No.3 highlighting his 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 Petitioner to file a fresh representation highlighting his 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 Petitioner 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 Petitioner 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