

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.7909 of 2022

Aswini Kumar Mishra

....

Petitioner

Mr. S.B. Jena, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. YSP Babu, AGA for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

18.04.2022

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 praying for the following relief:

“Under the aforesaid facts and circumstances of the case, it is therefore, prayed that this Hon’ble Court may graciously be pleased to issue a writ of mandamus by directing the opp. Parties to grant the petitioner EPF benefit from the date of his initial appointment;

Further be pleased to direct the opp. Parties to disburse the gratuity amount in favour of the petitioner;

And further be pleased to direct the Opp. Parties to disburse all the consequential and service benefits;

Or pass such other order/orders as this Hon’ble Court may deem fit and proper in the facts and circumstances of the case;

And for which act of kindness, the petitioner as in duty bound shall ever pray.”

4. Learned counsel for the Petitioner submits that ventilating his grievance, Petitioner has filed a representation before the Commissioner, Employees Provident Fund, Odisha, EPF Regional Office, Bhubaneswar, Opposite Party No.4, dated 29.12.2021. It is submitted that the said representation is pending before the Authority till date and no decision has been taken on such representation.

5. Learned counsel for the State on the other hand submits that he has no objection if a direction is given to the Authority to consider and dispose of the said representation of the Petitioner within specific period of time.

6. Considering the limited nature of grievance and considering the facts and circumstances of the case, this Court directs the Opposite Party No.4 to consider the representation of the Petitioner dated 29.12.2021 (Annexure-5) strictly in accordance with law within a period of two months from the date of receipt of certified copy of this order. The Opposite Party No.4 shall dispose of the same by passing a speaking and reasoned order. Decision so taken be communicated to the Petitioner within a period of two weeks thereafter.

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

8. Issue urgent certified copy of this order subject to removal of defects.

(A.K. Mohapatra)
Judge