

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8059 of 2022

Dillip Kumar Behera

.... Petitioner
Mr.Siba Pr. Swain, Advocate

-versus-

State of Odisha and others

.... Opposite Parties
Mr.Y.S.P.Babu, A.G.A.

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 and learned Additional Standing Counsel.
 3. The Petitioner has filed the aforesaid writ application with the following prayer:

“It is therefore, prayed that this Hon’ble Court would be graciously pleased to

- a) Allow this writ petition,
- b) Issue Rule NISI, asking the Opp.Parties to show cause as to why non-approval of draft charge dtd. 14.10.1993 vide Annexure-1 shall not be quashed and if the Opp.Parties do not show cause or show insufficient cause, then issue a writ of certiorari in nature thereby quashing the same.
- c) Further direct to the concerned Opp. Parties to revise the scale of pay under ORSP Rule-2008 as well as release the increments and promotional scale of pay by

regularizing the service period of the petitioner within a stipulated period.

- d) And/or pass an appropriate order/orders direction/directions as this Hon'ble Court deem think fit and proper.
- e) he Petitioner therefore prays that the Hon'ble Court may kindly be pleased to admit the writ petition and to issue a Rule Nisi to the Opposite Parties are not regularizing and disbursing the arrear financial benefits to the Petitioner by issuing appropriate writ or direction."

4. Learned counsel for the Petitioner submits that ventilating his grievance the Petitioner has filed a detailed representation before the Collector, Jagatsinghpur, Opposite Party no.2 on 06.12.2021 under Annexure-6. It is also submitted by the learned counsel for the Petitioner that the said representation is pending as of now. It is also submitted by the learned counsel for the Petitioner that a direction be issued to the Opposite Party No.2 to consider the representation of the Petitioner within a stipulated period of time.

5. Learned Additional Government Advocate submits that he has no objection if the representation of the Petitioner is considered by the Opposite Party No.2, which is stated to be pending with Opposite Party No.2 in accordance with law within a stipulated period of time.

6. Considering the limited nature of grievance of the Petitioner, the writ application is disposed of at the stage of admission with a direction to the Opposite Party no.2 to consider the representation of the Petitioner in accordance with law within a period of two months from the date of production of certified copy of this order. The Opposite Party No.2 shall do well to dispose of the representation of the Petitioner under Annexure-6 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.

RKS

(A.K. Mohapatra)
Judge

