

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8105 of 2022

Swapneswar Sahoo

....

Petitioner

Mr.Biswaranjan Das , Advocate

-versus-

***Food Corporation of India and
others***

....

Opposite Parties

Mr. B.K.Das, Advocate.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

02.05.2022

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 Mr.B.K.Das, learned counsel appearing for Food Corporation of India.
3. The present writ application has been filed by the Petitioner with the following prayer:

“It is therefore prayed under the facts and circumstances of the case narrated above Your Lordship would graciously be pleased to admit this writ petition.

And further be pleased to direct the Opposite Parties to give promotion and seniority in the post of Mondal by reckoning the seniority from the date of the initial joining of the Petitioner as per rule/procedure/instructions/circulars of Food Corporation of India.

And further be pleased to direct the opposite Parties to hear/decide the industrial Dispute raised under Annexure-3 series for the ends of justice.

And further be pleased to direct the Opposite Parties to decide the representation dated 16.01.2021 under Annexure-1 & Annexure-2 series for the ends of justice.

And further be pleased to issue writ(s)/direction(s)/order(s) as your Lordships deem fit and proper for the ends of justice.”

4. It is submitted by the learned counsel for the Petitioner that challenging the inaction of the Opposite Parties in regularizing the service of the Petitioner, he has filed a representation before the authorities.

5. It is further submitted that the Trade Union of Food Corporation of India in the Workers Union has also filed an I.D. Case which is stated to be pending before the Deputy Chief Commissioner, Bhubaneswar.

6. Learned counsel for the Opposite Parties submits that since the matter is pending before the departmental authority and also before the Tribunal under the I.D. Act, a direction be made to expedite the matter and to take a final decision in the matter, then the same will suffice the purpose.

7. Considering the aforesaid submissions, this Court disposes of the writ application at the stage of admission with a direction to the Opposite Party No.2 to consider the representation of the Petitioner under Annexure-1 within a period of two months from the date of production of certified copy of this order. It is also directed that if the Petitioner approaches the Tribunal under the I.D. Act for expeditious disposal of the dispute pending before it, learned Tribunal shall do well to expedite the hearing of the dispute pending before it and shall make every endeavour to conclude the same within a period of four months from the date of filing of the memo along with a certified copy of this order by the Petitioner before the Opposite Party No.2. It is open for the Petitioner to raise any ground before the Opposite Party No.2 while considering the representation and the Opposite

Party no.2 shall consider and dispose of the representation by passing a reasoned and speaking order.

8. It is made clear that this Court has not expressed any opinion on the merits of the case.

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

10. Issue urgent certified copy of this order as per Rules.

RKS

(A.K. Mohapatra)
Judge

