

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13816 of 2012

Chandrasekar Sahu and others ***Petitioners***

Mr. Saktidhar Das, Senior Advocate

-versus-

State of Orissa and others ***Opposite Parties***

Mr. Debakanta Mohanthy, A.G.A. for the State

CORAM:
THE CHIEF JUSTICE
JUSTICE R.K. PATTANAİK

ORDER
12.07.2022

Order No.

04.

1. This is a writ petition filed way back on 31st July 2012 with the following prayer:

“i) directing the Opposite Parties to pay them the due as per the contract and not to deduct towards fuel/lubricant and damage of tyres as this is not possible on the part of the Petitioners to control.”

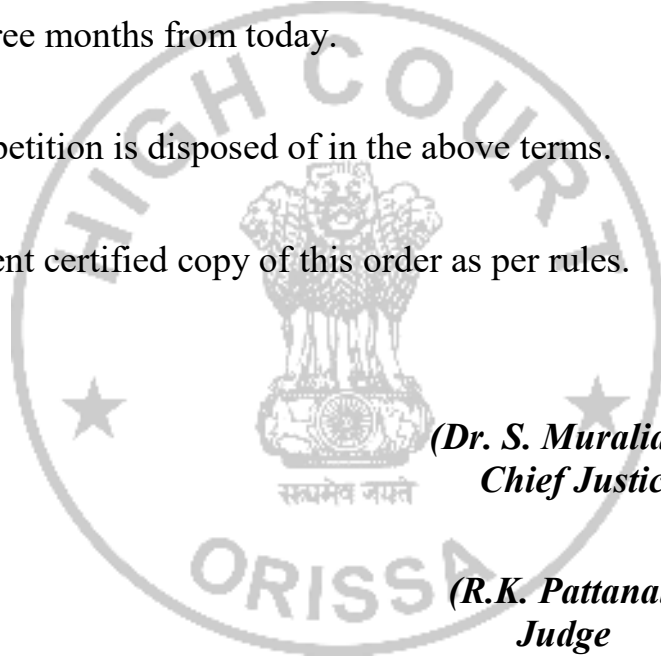
2. Nowhere in the petition, has it been indicated what is the precise amount, owing to each of the sixteen Petitioners by the Opposite Party-OSRTC. It is not possible therefore for this Court to issue any precise directions in that regard.

3. Despite notice having been issued way back on 21st November 2012, no counter affidavit has been filed and in fact, today none is appearing for OSRTC.

4. Since there would obviously be disputed questions of fact vis-à-vis the dues owing to each of the Petitioners, it is not possible for this Court to entertain the present petition at this stage, in the absence of pleadings, to examine the above issue. The better course of action is to require OSRTC to examine the representation made by the Petitioners (Annexure-2 series), give them a hearing and pass appropriate orders vis-à-vis the dues, if any, owing to each of them and thereafter, disburse the amount to each of them in accordance with law. It is so ordered. The entire exercise be completed within a period of three months from today.

5. The writ petition is disposed of in the above terms.

6. Issue urgent certified copy of this order as per rules.



(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge

S.K. Guin