

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8576 of 2022

Sukanta Kumar Pradhan

....

Petitioner

.

Mr. G.K.Nayak, Advocate

-versus-

State of Odisha & another

....

Opp.Parties

Mr. P.C.Das, A.S.C..

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

08.04.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and the learned Additional Standing Counsel.
3. The present writ application has been filed with the following prayer:

“It is therefore, prayed that this Hon’ble Court may be graciously pleased to admit this writ petition and issue a writ in the nature of certiorari or any other appropriate writ/writs by quashing the impugned order of recovery dated 17.01.2022 issued by the Opposite Party No.2 under Annexure-1.

And pass such other order/orders and direction as this Hon’ble Court deems just and proper.

4. Learned counsel for the Petitioner submits that the authorities have issued a letter for recovery of overdrawn HRA amount from the salary of the Petitioner. It is also submitted by the learned counsel for the Petitioner that before issuing the letter for recovery of the

amount, the Opposite Parties have not provided any opportunity of hearing to the Petitioner. Therefore, he submits that the Petitioner is seriously prejudiced by the illegal and highhanded action of the authorities. He further submits that objecting to the letter under Annexure-1 dated 17.01.2022 the Petitioner has submitted a representation to the authority on 25.03.2022. It is stated that the same is pending as of now and no decision has been taken by the Opposite Parties.

5. Learned Additional Standing Counsel on the other hand submits that since the matter is subjudiced before the Superintendent of Police, Ganjam, Opposite Party No.3 he may be directed to consider the representation of the Petitioner in accordance with law within a stipulated period of time.

6. Considering the aforesaid submission and limited nature of grievance involved in the present writ application, the same is disposed of at the stage of admission directing the Opposite Party No.3 to consider the representation of the Petitioner within a period of two months from the date of production of certified copy of this order. It is further directed that the opposite Party No.3 shall consider and dispose of the same by passing a reasoned and speaking order and the recovery sought for under Annexure-1 shall be kept in abeyance till disposal of the representation by Opposite Party No.3.

7. With the aforesaid observation the writ application stand disposed of.

8. Issue urgent certified copy as per Rules.

