

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8599 of 2022

Bharat Kumar Pradhan

....

Petitioner

Mr. Akshaya Kumar Pandey, Advocate

-versus-

***The Addl. Chief Secretary to Govt.,
Health and Family Welfare
Department, Odisha, Bhubaneswar
and others***

....

Opposite Parties

Mr. K.K. Nayak, ASC for State

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 learned counsel for the State.
3. The writ petition has been filed by the Petitioner with the following relief:

“The Petitioner therefore, humbly prays that this Hon’ble Court may graciously be pleased to admit the writ application, issue a Rule NISI calling upon the opposite parties to show cause to why the impugned order under Annexure-5 shall not be quashed/set aside, if the opposite parties failed to show cause or show insufficient cause the rule may be made absolute against the opposite parties.

AND

May pass any other appropriate direction(s)/ order(s) as this Hon’ble Court considers may deem just and proper.

AND

For this act of kindness, the petitioner shall as in duty bound ever pray.”

4. Learned counsel for the Petitioner submits that there is a provision in the OCS (CCA) Rule, 1962, which proposes to approach the Departmental Authority under Rule 12(5) of the CCA (CCS) Rules.

5. Learned counsel for the State has no objection to the same in the event Petitioner approaches the Authority, who shall consider the grievance of the Petitioner within a stipulated period of time.

6. Considering the aforesaid submissions, the Petitioner is directed to file a fresh representation before the Opposite Party No.1 highlighting his grievance and taking all the grounds as are available to him in law within a period of six weeks from the date of production of certified copy of this order. In such event, Opposite Party No.1 shall consider the same strictly in accordance with law and shall dispose of the same by passing a speaking and reasoned order. Decision on the same 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 as per rules.

(A.K. Mohapatra)
Judge