

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8825 of 2022

Nikalas @ Nicalas Khosla ***Petitioner***
Mr.Neelakantha Panda, Advocate

-versus-

CDMO & PHO, Koraput & another ***Opposite Parties***
Mr.Y.S.P.Babu, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
13.04.2022

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, humbly prayed that your Lordship’s may graciously be pleased to admit this Writ Petition, issue Rule NISI, I nature of writ or any other writs, calling upon the opposite parties, particularly to Opposite party No.1 to show cause:-

- i) as to why the Petitioner shall not be reengage in the service with all the consequential service benefits, as he has already been found not guilty as per the judgment pronounced under Annexure-3,

In the event of failure to show cause or shows insufficient causes by the opposite parties the writ petition of the petitioner may be allowed and said Rule NISI maybe made absolute.

May further be pleased to pass any other Order(s)/Direction(s) as this Hon'ble Court deem just, fit and proper, to the facts and circumstances of the case.”

4. In course of hearing of the writ petition the learned counsel for the Petitioner submits that the Petitioner ventilating his grievance has filed a detailed representation dated 16.03.2022 to the Chief District Medical & Public Health Officer, Koraput, Opposite Party No.1 under Annexure-4. It is also submitted by the learned counsel for the Petitioner that the said representation is pending as of now. He also submits that a direction may be issued to the Opposite Party No.1 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 under Annexure-4 is considered by the Opposite Party No.1 which is stated to be pending with Opposite Party No.1 within a stipulated period of time in accordance with law.

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.1 to consider the representation of the Petitioner in accordance with law within a period of eight weeks from the date of production of certified copy of this order. The Opposite Party No.1 shall do well to dispose of the representation of the Petitioner 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. As prayed for by the learned counsel for the Petitioner, he is permitted to take back the copy of Annexure-3 by substituting an

authenticated copy thereof.

8. With the aforesaid observation, the writ application stands disposed of.

8. Issue urgent certified copy as per Rules.

RKS

(A.K. Mohapatra)
Judge

