

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8897 of 2022

Niranjan Kumura

....

Petitioner

Mr. S.K. Pradhan, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. K.K. Nayak, A.G.A.

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. Perused the record.

3. The present writ petition has been filed by the petitioner with the following prayers:

“In view of the above facts and circumstances stated above, it is, therefore, prayed that this Hon’ble court may graciously be pleased to admit the writ application, issue writ of Mandamus in directing to the opposite parties for update the Service Book of the petitioner, refix his pay and ORSP Rules, 1998 and accordingly disburse the arrears of salary, final pension of the petitioner including other dues as per the revised pay immediately by stipulating the time period.

And any other appropriate order/orders, direction/directions may kindly be passed as deemed equitable by this Hon’ble Court in the interest of justices.”

4. It is submitted by learned counsel for the petitioner that although the petitioner has filed representation dated 05.11.2021 under Annexure-6 before the Labour Commissioner Labaour and ESI

Department, Bhubaneswar-Opposite Party No.2, the same is still pending before the said Opposite party and the said Opposite Party has not taken any decision as of now.

5. Learned counsel appearing for the State submits that he has no objection, if a direction is given to the authorities to consider the grievance petition of the petitioner in accordance with law within a stipulated period of time.

6. Considering the submissions made by the respective parties, the limited nature of grievance involved in the present writ petition, keeping in view the case of the petitioner, this Court disposes of the writ petition at the stage of admission with a direction to the Labour Commissioner Labaour and ESI Department, Bhubaneswar-Opposite Party No.2 to consider the representation of the Petitioner dated 05.11.2021 under Annexure-6 in accordance with law within a period of two months from the date of production of certified copy of this order. It is needless to mention here that the representation of the petitioner shall be considered and disposed of by passing a speaking and reasoned order on the same. Any decision taken on the said representation shall be communicated to the petitioner within a period of ten days thereafter.

7. With the aforesaid observation/direction, the writ petition is disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge