

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.9264 of 2022

Bijay Kumar Pattanaik

....

Petitioner

Mr. Manoranjan Mishra, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. YSP Babu, AGA for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

29.04.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. The writ petition filed by the Petitioner involves the following prayer:

“The petitioner therefore prays that your Lordship’s would be graciously pleased to admit the Writ Petition, Call for the records, if any, and after hearing allow the Writ by issuing necessary Writ/Writs thereby directing the Opposite Parties to consider, add up the DLR employment period from 01.06.1983 to 12.01.2011 and then thereafter period under the Work Charged Establishment from 12.01.2011 to 21.06.2021, considering the same at par with the ongoing regularized service period for calculation of total service period so that he can avail the retirement benefits after the age of superannuation. Any other order as your lordship may deem fit.

And for the said act of kindness, the Petitioner as in duty bound shall ever pray.”

4. Learned counsel for the Petitioner submits that Petitioner has been working under the Opposite Party No.4 as a DLR employee for last

21 years at par with other regular employees. However his service has not been regularized as yet, for which, he is not getting the benefits attached to the said post. It is also submitted that ventilating his grievance, he has filed a representation before the Executive Engineer, G.E.D. No.III, Sambalpur, Opposite Party No.4, dated 18.9.2021, which is stated to be pending before the Authority and no action has been taken on the same till date.

5. Learned counsel for the State on the other hand submits that he has no objection if a direction is given to Opposite Party No.4 to consider the representation of the Petitioner within a stipulated period of time.

6. Considering the limited nature of grievance and the facts and circumstances of the case, this Court is inclined to dispose of the writ petition at the stage of admission directing the Opposite Party No.4 to consider the representation of the Petitioner dated 18.9.2021 (Annexure-3) strictly in accordance with law, as expeditiously as possible, preferably within a period of two months from the date of production of certified copy of this order. The Opposite Party No.4 shall dispose of the same by passing a speaking and reasoned order. Decision so taken 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 of this order on proper application.

(A.K. Mohapatra)
Judge