

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.9442 of 2022

Sri Ashok Kumar Dash

....

Petitioner

Mr. Kamala Kanta Nayak, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. P.C. Das, ASC for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

09.05.2022

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 present writ petition has been filed by the Petitioner with the following relief:

“Under the above facts and circumstances it is therefore, prays that Your Lordship may be graciously pleased to issue notice to the opposite parties as to why the prayer made in this writ application by the petitioner for payment of differential amount of Gratuity will not be paid as per order of the Controlling Authority dated 21.01.2021 vide Annexure-2 and if they fail to submit show cause or file insufficient cause Your Lordship may pleased to pass any other orders/direction or direct the Opp. Party No.2 to dispose of the representation dated 28.02.2022 (vide Annexure-4) within a reasonable period with interest @10% on differential payment or any other orders/directions as may be deemed proper according to the facts and circumstances of the case.”

4. It is submitted by learned counsel for the Petitioner that highlighting his grievance, the Petitioner has filed a representation before the Chairman-cum-Managing Director, OSRTC, Bhubaneswar, Opposite Party No.2, on which, no decision has been taken as yet. Accordingly, a prayer has been made to direct the Opposite Party No.2 to dispose of the said representation expeditiously.

5. Learned counsel for the State on the other hand submits that he has no objection, if a direction is given to the Authority to consider and dispose of the representation of the Petitioner within a stipulated period of time.

6. Considering the limited nature of grievance, this Court disposes of the writ petition at the stage of admission with a direction to the Chairman-cum-Managing Director, OSRTC, Bhubaneswar, Opposite Party No.2 to consider and dispose of the representation of the Petitioner dated 28.02.2022 (Annexure-4) within a period of two months from the date of production of certified copy of this order. Opposite Party No.2 is also directed to consider the representation in accordance with law and shall dispose of the same by passing a reasoned and speaking order after affording opportunity of hearing to the Petitioner. The decision so taken shall be communicated to the Petitioner within a period of two weeks thereafter. It is made clear that in the event it is found that Petitioner is eligible for the benefit, the amount shall be disbursed to him within one month thereafter.

7. With the above direction, the Writ Petition stands disposed of.

8. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge

U.K.Sahoo

