

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.9511 of 2022

Bishnu Charan Sutar

....

Petitioner

Mr.Biren Sankar Tripathy, Advocate

-versus-

Union of India and others

....

Opposite Parties

Mr.P.K.Parhi, A.S.G.

With P.P.Behera, C.G.C..

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 and learned Additional Government Advocate.
3. The Petitioner has filed the present writ application with the following prayer:

“The Petitioner, therefore, most respectfully prays that Your Lordships may graciously be pleased to admit this writ application and issue rule nisi to the Ops to show cause as to why the order of punishment dated 31.01.2022 in Annexure-3 shall not be quashed and why the Petitioner shall not be reinstated into his services with all consequential benefits.

And on their failing to show cause or showing insufficient cause issue a writ in the nature of certiorari the order of punishment dated 31.01.2022 in Annexure-3;

And further a writ in the nature of mandamus or any other appropriate writ/writs directing the Ops to reinstate the petitioner into his services with all consequential benefits, to which he is entitled;

And pass such further order/orders as may be deemed fit and proper in the facts and circumstances of the case;

And allow this writ petition with cost”

4. In course of hearing of the writ application, learned counsel for the Petitioner submits that the Petitioner has submitted a detailed representation before the Deputy Inspector General of Police, CRPF, Range Office, Bhubaneswar, Opposite Party No.3 on 25.02.2022 under Annexure-5. It is also submitted by the learned counsel for the Petitioner that the said representation is pending as of now. It is also submitted by the learned counsel for the Petitioner that a direction be issued to the Opposite Party No.3 to consider the representation of the Petitioner within a stipulated period of time.

5. Learned Assistant Solicitor General submits that he has no objection if the representation of the Petitioner is considered by the Opposite Party No.3, which is stated to be pending, in accordance with law within a stipulated period of time.

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.3 to consider the representation of the Petitioner in accordance with law within a period of three months from the date of production of certified copy of this order. The Opposite Party No.3 shall do well to dispose of the representation of the Petitioner under Annexure-5 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. With the aforesaid observation, the writ application stands disposed of.

8. Issue urgent certified copy as per Rules.

