

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.9655 of 2022

Laxmidhar Naik and another ***Petitioners***
Mr.Biraja Prasanna Das , Advocate
-versus-

State of Odisha and others ***Opposite Parties***
Mr.K.K.Nayak, A.S.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 as well as learned Additional Standing Counsel.
3. The present writ application has been filed by the Petitioner with the following prayer:

“It is therefore prayed that this Hon’ble Court may graciously be pleased to issue notice to the Ops to show cause. On perusal of the causes shown be further pleased to

- i) Direct the OP Nos. 3 & 4 to take steps for regularization of the Petitioners’ services as Dog Catcher-cum-Caretaker at ABC Unit, Bhubaneswar under OP No.3, BMC, w.e.f. 02.07.2014, as per the recent judgment of this Hon’ble Court decided in Sucharita Mohanty v. State of Odisha (WP(C) No.27367/2020, dated 21.12.2021), under Annexure-8 and in keeping view the Resolution dated 17.09.2013 of the G.A. Department under Annexure-7 with all benefits admissible to the posts w.e.f. initial date of their appointment.

And grant any other reliefs as would be deemed fit and proper in the facts and circumstances of the

case.”

4. In course of hearing of the writ application, learned counsel for the Petitioner submits that the Petitioner ventilating his grievance has submitted a representation before the Bhubaneswar Municipal Corporation, Opposite Party No.3 on 21.07.2021 under Annexure-6 series, which is stated to be pending consideration before the Opposite Party No.3. It is further submitted by the learned counsel for the Petitioner that a direction may be issued to the Opposite Party no.3 to consider the representation of the Petitioner under Annexure-6 series within a stipulated period of time.

5. Learned Additional Standing Counsel on the other hand submits that he has no objection if the representation of the Petitioner is considered and disposed of by the opposite Party No.3 in accordance with law.

6. Considering the aforesaid submissions, this Court disposes of the writ application at the stage of admission with a direction to the Opposite Party No.3 to consider the representation of the Petitioner under Annexure-6 series in accordance with law within a period of three months. The Opposite Party No.3 shall do well to consider and dispose of the representation of the Petitioner taking into consideration Annexures-7 & 8 by passing a reasoned and speaking order. The decision so taken on the representation of the Petitioner 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 of this order as per Rules.

