

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.9806 of 2022

Ashok Kumar Sahoo

....

Petitioner

Mr. Bhabani Sankar Das, Advocate

-versus-

***Chief Managing Director, BSNL,
New Delhi and others***

....

Opposite Parties

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

20.04.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner.
3. The present writ petition has been filed by the petitioner with the following prayers:-

“Under the aforesaid circumstances morefully narrated herein above the petitioner most humbly prays that this Hon’ble Court may graciously be pleased to admit the writ petition and issue Rule “NISI” calling upon the Opp. Parties to show-cause as to:-

- I. Why the impugned order dt.09.04.2021 under ANNEXURE-7 shall not be quashed; and
- II. Why the Opp. Parties shall not be directed to confer TSM (Temporary Status Mazdoor) to the petitioner as per 1989 Scheme; and
- III. Why the Opp. Parties shall not be directed to hold that the petitioner is entitled to get the benefit under 37-A of CCS (Pension) Rules; and.

If the Opp. Parties fail to show-cause or

show insufficient cause, the Rule may be made absolute;

And further be pleased to direct the Opp. Party No.2 to dispose of the representation dtd.25.09.2021 under ANNEXURE-8 within a stipulated time;

And pass any other order(s)/direction(s) as would deem fit and proper under the facts and circumstances of the case;

And for which act of kindness, the petitioner as in duty bound shall every pray.”

4. Learned counsel for the Petitioner submits that ventilating his grievance, the Petitioner has filed a representation before the Chief General Manager Telecom (CGMT), Odisha, Opposite Party No.2, dated 23.09.2021 (Annexure-8), which according to the Petitioner is pending before the Authority for consideration.

5. Considering the limited nature of grievance and considering the facts and circumstances of the case, this Court directs the Opposite Party No.2 to consider the representation of the Petitioner dated 23.09.2021 (Annexure-8) taking into account the decision of the Hon'ble Apex Court in the case of *State of Madhya Pradesh vs. Ashish Awasthi*, reported in *2021(II) OLR (SC) 1072*. The Authority shall consider and dispose of the representation of the Petitioner by passing a speaking and reasoned order, within a period of four months from the date of production of certified copy of this order. Decision so taken be communicated to the Petitioner within a period of two weeks thereafter.

6. With the above observation, the writ petition stands

disposed of.

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

(A.K. Mohapatra)
Judge

u.k.sahoo

