

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 10235 of 2022

Raghunath Lenka

..... Petitioner
Mr.K.K.Swain, Advocate

-versus-

State of Odisha and others

..... Opposite Parties
Mr.K.K.Nayak, A.G.A.

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 Additional Standing Counsel.
3. The Petitioner has filed the present writ application with the following prayer:

“Under the above circumstances, it is humbly prayed that the writ petition may be allowed;

A n d

- A) A writ of mandamus or an appropriate writ may be issued commanding the opposite parties to count the past services of the petitioner under Job Contract establishment for the period from 08.10.1960 tp 08.01.1971 including the training period as there is provision under the Pension Rules to count the training period as qualifying service towards qualifying service for the purpose of grant of full pension with effect from the date of his retirement from service i.e. from 31.12.1995 and the differential arrears may be calculated and may be paid to him forthwith within a time to be stipulated by this Hon’ble Court.
- B) And any other order/orders or direction/directions may be issued so as to give complete relief to the petitioner.”

4. In course of hearing of the writ application, learned counsel for the Petitioner submits that the Petitioner has submitted representation before the Member, Board of Revenue, Odisha, Cuttack, Opposite Party No.2 on 17.01.2022 under Annexure-7. 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.2 to consider the representation of the Petitioner under Annexure-7 within a stipulated period of time.

5. Learned Additional Standing Counsel submits that he has no objection if the representation of the Petitioner is considered by the Opposite Party No.2, 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.2 to consider the representation of the Petitioner under Annexure-7 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.2 shall do well to dispose of the representation of the Petitioner under Annexure-4 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.

