

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.10583 of 2022

Trayambica Acharya

....

Petitioner

Ms. B.K. Pattanaik, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. Y.S.P. Babu, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

13.05.2022

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 counsel for the State. Perused the record.
3. The present writ petition has been filed by the petitioner with the following prayers:

“It is therefore humbly prayed that this Hon’ble Court may graciously be pleased to admit the case, call for the records and after bearing both the parties pass the following reliefs;

- (i) To direct the Opposite Parties to extend the services of petitioner by allowing her to discharge her duty;
- (ii) To direct the Opposite parties to regularize the service of the petitioner i.e. Pharmacist under Chief District Medical Officer & Public Health Officer, Khurda;

And pass such other order/orders as would be deemed fit and proper.”

4. It is submitted by learned counsel for the petitioner that on earlier round of litigation, the petitioner approached this Court for extending the services, which was discharging during COVID period. This Court, after hearing learned counsel for the petitioner, disposed of the writ petition with a direction to the authority to consider the representation in accordance with law.

5. It is further submitted by learned counsel for the petitioner that while representation of the petitioner is pending for consideration, the authorities are not allowing the petitioner to discharge his duty and the other similarly situated persons have been allowed to discharge their duties. It is also submitted that although the petitioner has again submitted representation dated 29.03.2022 before the Chief District Medical and Public Health Officer, Khordha-Opposite Party No.4, the same is still pending before the said opposite party and the said Opposite Party has not taken any decision as of now.

6. Learned counsel for the State submits that he has no objection, if a direction is given to the authorities to consider the representation of the petitioner in accordance with law within a stipulated period of time and disburse the same.

7. Considering the submissions made by the respective parties, the limited nature of grievance involved in the present writ petition, keeping in view the case of the petitioner, this Court disposes of the writ petition at the stage of admission with a direction to the Chief District Medical and Public Health Officer, Khordha-Opposite Party No.4 to consider the representation of the petitioner dated 29.03.2022 under Annexure-8 in accordance with law within a period of two months from the date of production of certified copy of

this order and allow the petitioner to discharge her duty in the event other similarly situated persons have been allowed to discharge their duties. Till final decision is taken on the representation of the petitioner as has been directed by this Court in W.P.(C) No.971 of 2022 disposed of on 19.01.2022. It is needless to mention here that the representation of the petitioner shall be considered and disposed of by passing a speaking and reasoned order. Any decision so taken on the said representation shall be communicated to the petitioner within a period of two weeks thereafter.

8. With the aforesaid observation/direction, the writ petition is disposed of.

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

Jagabandhu

