

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 10707 of 2022

Debaraj Sasmal

..... Petitioner
Mr.G.N.Panda, 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 stated facts and circumstance, it is therefore humbly prayed that this Hon’ble Court would be graciously be pleased to :

i) Direct the Opp.Party No.3 to forthwith consider for payment of gratuity under the principle of Payment of Gratuity Act, 1972 in accordance with the order of the Government under Annexure-4 along with interest and as has been extended to Sakha Bhoi similar situated employee in same manner.

ii) And pass such other order(s)/direction(s) as this Hon’ble Court may deem fit and proper for the ends of justice.

4. In course of hearing of the writ application, learned counsel for the Petitioner submits that the Petitioner has submitted representation before the Deputy Director, Nandankanan Zoological

Park, Baranga, Opposite Party No.3 on 15.12.2021 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 under Annexure-5 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.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 under Annexure-5 in accordance with law within a period of two 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.

RKS

(A.K. Mohapatra)
Judge