

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.11716 of 2022

Gobinda Charan Behera

..... Petitioner
Mr.Rajjeet Roy, Advocate

-versus-

State of Odisha and others

..... Opposite Parties
Mr.K.K.Nayak, A.S.C.

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 and learned Additional Standing Counsel.
3. The Petitioners have filed this writ petition with the following prayer :

“ In view of the above stated facts and circumstances, this Hon’ble Court may graciously be pleased to issue Rule Nisi calling upon the Opp.Parties to show cause as to why necessary directions shall not be issued to regularize the service of the Petitioner in the post of Sweeper-cum-Night Watchman (Group-D) lying vacant in the Office of the Panchayat Samiti, Chhendipada in the District of Angul with all consequential service benefits.

And if the Opp.Parties fail to show cause or show insufficient cause this Hon’ble Court may make the said rule absolute by issuing a writ of mandamus directing the Opp.Parties to regularize the services of the Petitioner in the post of Sweeper-cum- Night Watchman (Group-D) lying vacant in the Office of the Panchayat Samiti, Chhendipada in the district of Angul with all consequential service benefits.

And further be pleased to issue any other appropriate writ/writs, Rule/Rules or order/orders, direction/directions as

may be deemed fit and proper in the interest of justice.”

4. In course of hearing, learned counsel for the Petitioner submits that the Petitioner may be permitted to file a fresh representation ventilating his grievance before the Block Development Officer, Chhendipada, Opposite Party No.3 which may be considered within a stipulated period of time in accordance with law.

5 Learned counsel for the State on the other hand submits that he has no objection if permission is granted to the Petitioner to file the representation before the Opposite Party No.3 and the same is considered and disposed of in accordance with law.

5. In view of the aforesaid limited nature of grievance of the Petitioner, this Court disposes of the writ petition granting liberty to the Petitioner to file a fresh representation before the Opposite Party No.3 ventilating his grievance within a period of two weeks from today. If such a representation is filed within the time stipulated, the same shall be considered and disposed of by the opposite party no.3 in accordance with law taking into consideration the Annexure-3 & 4 series within a period of three months thereafter and the decision so taken on the representation of the Petitioner shall be communicated to the Petitioner within two weeks thereafter.

6. With the aforesaid observation the writ application stands disposed of.

7. Issue urgent certified copy as per Rules.