

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.11937 of 2022

Bijay Kumar Sahu

....

Petitioner

Mr. T.K. Mishra, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

27.06.2022

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:

“Under the aforesaid facts and circumstances of the case, it is therefore prayed that your Lordship’s may gracious and kind enough to issue a rule nisi calling upon the opp.Parties as to why the petitioner will not get Earn Leave Salary, 50% of 7th Pay Arrear, One time Financial Retirement benefit, Gratuity arrear from October, 1989 to August 1996, RSP Arrear from December, 2012 to July, 2014 and RSP 30 years arrear benefits upto 30th April, 2021 if the opp. Parties fail to show cause or show in sufficient cause made the rule absolute;

And further be pleased to direct the Opposite Party No.4 to sanction and disburse the Earn Leave Salary, 50% of 7th Pay Arrear, One Time Financial Retirement benefit,

Gratuity arrear from October, 1982 to August 1996,
RSP Arrear from December, 2012 to July, 2014 and
RSP 30 years arrear benefits upto 30th Aril, 2021;

And further be pleased to pass any other appropriate writ/writs, order/orders and direction/directions as would be deem fit and proper;”

4. It is submitted by learned counsel for the petitioner that although the petitioner has filed representation dated 04.04.2022 under Annexure-3 before the Managing Director, Odisha Forest Development corporation Ltd., Bhubaneswar-Opposite Party No.3, the same is still pending before the said Opposite party and the said Opposite Party has not taken any decision as of now.

5. Learned counsel for the State submits that he has no objection, if a direction is given to the authorities to consider the grievance petition of the petitioner in accordance with law within a stipulated period of time.

6. 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 Managing Director, Odisha Forest Development corporation Ltd., Bhubaneswar-Opposite Party No.3 to consider the representation of the petitioner dated 04.04.2022 under Annexure-3 taking into account Annexures-4 and 5 in accordance with law within a period of two months from the date of production of certified copy of this order. 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.

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

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

(A.K. Mohapatra)
Judge

Jagabandhu

