

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.12256 of 2022

Dharanidhar Sethi

....

Petitioner

***Mr.Umesh Chandra Mahapatra,
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 and learned Additional Government Advocate.
 3. The Petitioner has filed the present writ application with the following prayer:

“ It is therefore prayed that your Lordship’s be graciously pleased to admit the writ petition, issue rule nisi in the nature of appropriate writ or any other writ(s) as deem fit and proper calling upon the Opposite Parties to show cause as to why the prayer made hereunder shall not be allowed, and if no/insufficient cause is shown, the said rule be made absolute by issuing writ(s) in the nature of;

The Opposite Parties be directed for grant of the 3rd RACP with the Grade Pay of RS.6600/- on completion of 30 years of continuous service at the stage of 3rd financial upgradation in accordance with the ORSP Rules, 2008 read with the Finance Department Resolution No.3560/F, dated 06.02.2013 taking into consideration the Government orders at Annexure-4 & 5 with all other consequential service and

financial benefits including revision in his pension at an early date in the interest of justice.

A N D.

Further be pleased to pass such other writ(s)/order(s) as may deem just and proper.”

4. In course of hearing of the writ application, learned counsel for the Petitioner submits that the Petitioner ventilating his grievance has submitted representation before the Project Administrator I.T.D.A., Malkangiri, Opposite Party No.5 on 24.09.2016 which was forwarded to the Director (ST)-cum-Additional Secretary to Government in ST & SC Development Department, Odisha, Bhubaneswar, Opposite Party No.2 on 09.12.2016 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 Government Advocate 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 within a period of eight weeks 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-7 taking into consideration Annexure-4 & 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. Issue urgent certified copy as per Rules.

RKS

(*A.K. Mohapatra*)
Judge

