

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13130 of 2022

Hari Shankar Dhaunlia

....

Petitioner

Mr.Pramoda Ku. Dash, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr.P.C.Das, A.S.C.

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 Standing Counsel for the State.
3. The Petitioner has filed the present writ application with the following prayer:

“ It is therefore prayed that Your Lordships’ 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 Opp.Parties to show cause as to why the prayer made hereunder be not allowed, and if no/insufficient cause is shown, the said rule be made absolute by issuing writ(s) in the nature of:

The Opp.Parties be directed to grant of ACP on completion of 25 years of service w.e.f. 10.06.2012, 1st and 2nd RACP with the Grade Pay of Rs.4600/- and Rs.5400/- on completion of 10/20 years of continuous service w.e.f. 01.01.2013 and for grant of 3rd MACP with the Grade Pay of Rs.6600/- at the Level 13 on completion of 30 years of continuous service w.e.f. 10.06.2017 under RACPS and

MACPS in accordance with the ORSP Rules 2008 and 2017 with all other consequential service and financial benefits including pension and pensionary benefits in the interest of justice at an early date since the Petitioner has retired from the Government service since last three years.

And 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 Principal Secretary to Government of Odisha ST & SC Development, Minorities & Backward Classes Welfare Department, Opposite Party No.1 on 04.01.2022 under Annexures-9. 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.1 to consider the representation of the Petitioner under Annexure-9 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.1, 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.1 to consider the representation of the Petitioner under Annexure-9 within a period of three months from the date of production of certified copy of this order. The Opposite Party No.1 shall do well to dispose of the representation of the Petitioner under Annexure-9 taking into consideration Annexure-7 and 8 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

