

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13140 of 2022

Dilip Kumar Sahoo

.... *Petitioner*
Mr. N.B. Das, Advocate

-versus-

State of Odisha and others

.... *Opposite Parties*
Mr. P.C. Das, ASC

CORAM:
JUSTICE A.K. MOHAPATRA

ORDER
04.07.2022

Order No.

01.

1. This matter is taken up through hybrid arrangement (virtual/physical mode).
2. Heard learned counsel for the Petitioner.
3. The present Writ Petition has been filed by the Petitioner with the following prayer:

“Under the aforesaid facts and circumstances it is therefore most humbly prayed that this Hon’ble Court may graciously pleased to admit this writ petition, issue Rule NISI calling upon the opposite parties to show cause as to why the prayers made hereunder shall not be allowed and upon showing no/insufficient cause make the said Rule absolute by issuing writ/writ(s) in the nature of”

Mandamus: - Directing the opposite parties particularly opp. Party no- 3 to consider the petitioner’s case for promotion to the post of Deputy Director by counting his due seniority over such Asst. Directors.

Further be pleased to direct the opposite parties particularly opp. party no-3 to pay the arrear dues allowing higher scale of pay than that of an Asst. Director, since the date of his appointment as Statistical Assistant-Cum-Inspector.

And or pass such other writ/writs/direction/direction(s),

order/orders as this Hon'ble Court deems fit, just and proper in the facts and circumstances of the case.

And for which act of kindness the Petitioner is as in duty bound shall ever pray.”

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 Director, Economics & Statistics, Odisha, Bhubaneswar, 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 shall be considered and disposed of in accordance with law.

6. 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 Director, Economics & Statistics, Odisha, Bhubaneswar, Opposite Party No.3, ventilating his grievance within a period of two weeks. It is open for the Petitioner to take any such grounds as are available to him in law. In that event, Opposite Party No.3 shall dispose of the same in accordance with law within a period of two months thereafter and the decision so taken on the representation of the Petitioner shall be communicated within two weeks thereafter.

7. With the above direction, the Writ Petition stands disposed of.

8. Issue urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge