

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13950 of 2022

Binod Kumar Das

....

Petitioner

Mr. S.K. Das, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

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

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 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 above circumstances, it is therefore humbly prayed that the Hon’ble Court be graciously pleased to direct the Opposite Party No.1 and 2 to release the arrear duty pay salary of the petitioner for the periods from 14.06.2017 to 17.09.2021 as requested by the Opposite party No.4 in his order dtd: 21.12.2021 under Annexure-3 with accrued interest within a stipulated period as deemed fit and proper;

And/or pass any other appropriate Writ/Writs, order/orders or direction/directions be issued so as to give complete relief to the petitioner.”
 4. It is submitted by learned counsel for the petitioner that the

Commanding Officer, 7(O) Bn. NCC, Bhadrak-Opposite Party No.4 has given recommendation in favour of the petitioner to the Assistant Director, Government of Odisha, Department of Higher Education, Bhubaneswar-Opposite Party No.2. It is further submitted by learned counsel for the petitioner that such recommendation is pending and no decision has been taken on the same 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 and after perusal of the record, this Court thinks it proper to dispose of the writ petition at the stage of admission with a direction to the Assistant Director, Government of Odisha, Department of Higher Education, Bhubaneswar-Opposite Party No.2 to consider and take a decision on the letter dated 21.12.2021 under Annexure-3 given by the Commanding Officer, 7(O) Bn. NCC, Bhadrak-Opposite Party No.4 in accordance with law within a period of two months from the date of production of certified copy of this order. Any decision so taken on the said representations 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

