

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OA) No.1841 of 2003

Niranjan Prasad Mishra

....

Petitioner

Mr.Ajit Rath, Advocate

-versus-

State of Odisha & Ors.

....

Opposite Party(s)

Mr.H.K.Panigrahi, SC

**CORAM:
JUSTICE BISWANATH RATH**

ORDER

12.01.2022

Order No.

1.

1. This matter is taken up through Video Conferencing Mode.

2. Heard learned counsel appearing for the parties.

3. This O.A. involves the following prayer.

“In view of the facts mentioned in para-6 above, the applicant prays for the following relief (s):-

- (i) The Hon’ble Tribunal be pleased to quash the impugned order as given in Annexure-4 and the Hon’ble Tribunal be pleased to declare and direct that the benefit of higher scale of the post of Jr.S.E.S. given to the applicant with effect from 1.1.1974 was legal and valid and that he shall be entitled to all service benefits and future service benefits on the said basis. And the Hon’ble Tribunal be pleased to pass such other order/orders as is deemed fit and proper in the facts and circumstances of this case.”

4. The O.A. appears to have been entertained in the year 2003. Since no counter affidavit is filed as of now, this Court is of the opinion that no purpose would be served in keeping such application pending any further except directing the competent authority to treat the Original Application as representation at the instance of the petitioner and take decision, as appropriate, involving the dispute raised herein by

undertaking the entire exercise within a period of three months from the date of communication of an authenticated copy of this order along with copy of the original application by the petitioner.

5. As restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout copy of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Court's Office order circulated vide Memo Nos.514 & 515 dated 7th January, 2022.

(Biswanath Rath)
Judge



Sks