

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.14890 of 2022

Binaya Kumar Jena

.... ***Petitioner***
Mr. R.K. Bisoi, Advocate

-versus-

State of Odisha and others

.... ***Opposite Parties***
Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

22.06.2022

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:

“In view of the aforesaid facts and circumstances as narrated above, it is ardently prayed that this Hon’ble Court be graciously pleased to quash the order under Annexure-4 and direct the Opp. Party No.1 to 3rd RACP benefits to the petitioner of Rs.5400/- w.e.f. 1.1.2013 on completion of 30 years of service as per Annexure-2 and fixation of his pay in Level No.12 of the 7th pay w.e.f. 1.1.2016 with revision and accordingly all arrear may be disbursed to petitioner with revision of pension with arrears within a time stipulation as fixed by this Hon’ble Court.

And/or issue any other appropriate writ/ writs, order/orders, direction/directions as deem fit and proper in the fitness of the case.”

4. It is submitted by learned counsel for the petitioner that although the petitioner has filed representation dated 22.03.2021

under Annexure-4 before the Secretary to Government, Agriculture & F E Department, Odisha, Bhubaneswar-Opposite Party No.1, the same is still pending before the said Opposite party and the said Opposite Party has not taken any decision 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, the limited nature of grievance involved in the present writ petition, keeping in view the case of the petitioner, this Court disposes of the writ petition at the stage of admission with a direction to the Secretary to Government, Agriculture & F E Department, Odisha, Bhubaneswar-Opposite Party No.1 to consider the representation of the petitioner dated 22.03.2021 under Annexure-4 taking in account Annexures-5 and 6 in accordance with law within a period of two months from the date of production of certified copy of this order. It is needless to mention here that the representations of the petitioner shall be considered and disposed of by passing a speaking and reasoned 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

