

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No. 832 of 2005

Nursingha Mallick

.....

Petitioner

Mr. S. Behera, Advocate

Vs.

State of Odisha and others

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

31.01.2022

Order No.

01

This matter is taken up by video conferencing mode.

2. The petitioner has filed this writ petition seeking direction to the opposite parties to reinstate him in service and thereafter regularize the service in the post of driver grant all consequential service and financial benefits within a stipulated time.

3. Learned counsel for the petitioner states that the petitioner may be permitted to file a fresh representation before the opposite party no.1 and the same may be directed to be disposed of within a stipulated time taking into consideration the judgments of the apex Court in the cases of *State of Karnataka v. Umadevi*, 2006(4) SCC 1, *State of Karnataka and others v. M.L.Keshari and others*, 2010(II) OLR (SC) 982 and *Amarkanti Rai v. State of Bihar and others*, (2015) 8 SCC 265, to which learned State Counsel has raised no objection.

4. As agreed by learned counsel for the parties, without expressing any opinion on the merits of the case, this writ

petition stands disposed of with the direction that in case the petitioner, with regard to the grievance made in this petition, files a fresh comprehensive representation before the opposite party no.1 within 15 days hence, the same shall be considered by the said authority taking into consideration the judgments of the apex Court *State of Karnataka v. Umadevi*, 2006(4) SCC 1, *State of Karnataka and others v. M.L.Keshari and others*, 2010(II) OLR (SC) 982 and *Amarkanti Rai v. State of Bihar and others*, (2015) 8 SCC 265, and pass a reasoned and speaking order as expeditiously as possible, preferably within a period of three months from the date of receipt of such representation along with the certified copy of this order.

As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a print out 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 and 515 dated 7th January, 2022.

Ashok

(DR. B.R. SARANGI)
JUDGE