

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.15041 of 2022

Mahendra Behera

..... Petitioner

Mr. P.K. Sahoo, 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:
- “It is, therefore, humbly prayed that this Hon’ble Court may graciously be pleased to issue a writ of mandamus or any other appropriate writ/writs by directing the opposite parties to count the past service rendered by the petitioner under NMR establishment i.e. from 01.01.1979 to 21.06.2001 towards qualifying service for the purpose of pension and pensionary benefits’
- And further be pleased to direct the opposite parties to revise the pension and other retiral benefits and to pay the arrears to the petitioner at any early date’
- And pass such other order/orders as may be deemed fit and proper for the interest of justice”
4. It is submitted by learned counsel for the petitioner that although the petitioner has filed representation dated 05.02.2022 under

Annexure-8 before the Commissioner-cum-Secretary, Water Resources Department, Government of 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 Commissioner-cum-Secretary, Water Resources Department, Government of Odisha, Bhubaneswar-Opposite Party No.1 to consider the representation of the petitioner dated 05.02.2022 under Annexure-8 taking into account the Annexures-4, 5, 6 and 7 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 representation of the petitioner shall be considered and disposed of by passing a speaking and reasoned order. Any decision so taken on the said representation 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.

