

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.15094 of 2022

Jabamani Hembram

....

Petitioner

Mr. B.S. Rayaguru, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

21.06.2022

Order No.

W.P.(C) No.15094 of 2022 & I.A. No.8053 of 2022

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 these facts and circumstances the petitioners most humbly pray that this Hon’ble Court be graciously pleased to admit this Writ Petition and issue a RULE NISI calling upon the Opp. Parties to show cause as to why;

- i. The Opp. Party No.2 shall not be directed to consider the representation dated 07.05.2022 under Annexure-2 submitted by the petitioner which is still pending for consideration before the Opp. Party No.2, taking the fact into consideration that posting of the juniors to the petitioner have been posted in their home districts ignoring the case of the petitioner,
- ii. The Opp. Parties shall not be directed to post the

petitioner Dantia Muhan Sector under Kishan Tandi CHC in Muruda Block or Baigana Badia sector under Kuliana CHC in Kuliana Block or Rangamatia CHC in Shyamkhunta Block in the district of Mayurbhanj-petitioner's home district,

- iii. The action of the Opp. Parties in ignoring the case of the petitioner for posting, shall not be declared as illegal, arbitrary and contrary to law,

And be pleased to pass appropriate order(s)/direction(s) as this Hon'ble Court may deem fit and proper for the ends of justice and in the interest of the petitioner,"

4. It is submitted by learned counsel for the petitioner that although the petitioner has filed representation dated 07.05.2022 under Annexure-2 before the Director, Family Welfare Department, Odisha, Bhubaneswar-Opposite Party No.2, 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 Director, Family Welfare Department, Odisha, Bhubaneswar-Opposite Party No.2 to consider the representation of the petitioner dated 07.05.2022 under Annexure-2 in accordance with law within a period of four weeks 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. It is further directed that till disposal of the representation, no coercive action shall be taken against the petitioner.

8. 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

Jagabandhu

