

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.16387 of 2022

Baman Charan Swain

....

Petitioner

Mr.Kamal Kanta Nayak, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

11.07.2022

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 Additional Standing Counsel for the State.
3. The present writ application has been filed by the Petitioner with the following prayer:

“ Under the facts and circumstances stated above, it is therefore, prayed that Your Lordships may be graciously pleased to issue notice to the Opposite Parties calling upon them to show cause as to why the prayer made in this application by the Petitioner for payment of arrear differential unutilized leave salary and differential Dearness Allowance relating to Revised Scale of Pay Rules, 1998 along with all connected dues will not be allowed and if the Opposite Parties fail to show cause or show insufficient cause your Lordship may be pleased to pass order/direction to pay such differential amount of dues to the Petitioner within a reasonable period or may be pleased to pass order to dispose of the representation dated 20.05.2022 vide Annexure-4 favourably within a time bound period.

And/or pass any other order/direction to the Opposite Parties according to the fact and circumstances of the case as deemed fit and proper.”

4. In course of hearing, learned counsel for the Petitioner submits that ventilating his grievance, the Petitioner has filed a detailed representation before the Principal Secretary to Government, Transport Department, Odisha, Opposite Party No.2 on 20.05.2022 under Annexure-4. It is also submitted by the learned counsel for the Petitioner that the said representation is pending without consideration as of now. He also submits that a direction may be given to the Opposite Party No.2 to consider the representation of the Petitioner within a stipulated time.

5. Learned Additional Standing Counsel on the other hand submits that he has no objection if the representation of the Petitioner is considered by the Opposite Party No.2, which is stated to be pending, within a stipulated period of time in accordance with law.

6. Considering the limited nature of grievance of the Petitioner, the writ application is disposed of at the stage of admission with a direction to the Opposite Party no.2 to consider the representation of the Petitioner in accordance with law within a period of two months from the date of production of certified copy of this order. The Opposite Party No.2 shall do well to dispose of the representation of the Petitioner by passing a speaking and reasoned order. The decision so taken on the representation of the Petitioner, shall be communicated to the Petitioner within a period of two weeks thereafter.

7. With the aforesaid observation, the writ application stands disposed of.

8. Issue urgent certified copy as per Rules.

