

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.17160 of 2022

Subrat Sharma

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
21.07.2022**

Order No

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard learned counsel for the Petitioner and learned counsel for the Opposite Parties.
3. The Petitioner has filed the present Writ Petition with the following prayer:-

“ It is, therefore, prayed that this Hon’ble Court may graciously be pleased to issue notice to the opp. Parties calling upon them to file show cause as to why a direction shall not be issued to reflect the Physical Handicapped certificate of the petitioner in his Service Book by Opp. Party No. 3 and thereafter considering his case for promotion to MPHS(Male) against the vacancy reserved for P.H. category as per G.A. Department Resolution dated 3.12.2013 under Annexure-3 and after hearing the parties be pleased to direct the Opp. Party no. 3 to reflect the P.H. certificate of the petitioner in his service book and recommend his case to opp. Party no. 2 for promotion to MPHS(Male). Thereafter the opp. Party no. 2 may be directed to consider the case of petition for promotion to MPHS (male) against the vacancy reserve for P.H. category;

And pass such other order/orders as may be deemed fit and proper for the interest of justice.

And for this act of kindness, the petitioner as in duty bound shall ever pray.”

4. Learned counsel for the Petitioner further submits that through highlighting his grievances, the petitioner has filed a representation on 12.01.2022 at Annexure-6 to the Writ Petition before the O.P. No.2, but till date nothing has been done in the matter. In such background, learned counsel for the Petitioner prays that a direction be issued to Opposite Party No.2 to take a decision on the above noted petition within a specific time period.

5. Considering the submissions made and without expressing any opinion on the merits of the case, this Court directs Opposite Party No.2 to take a decision on the above noted petition taking into account Gazette notification under Annexure-3 within a period of three months from the date of receipt of this order and communicate the result of such exercise to the Petitioner.

6. The Writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha