

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.17867 of 2022

Himanshu Tarai

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

26.07.2022

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:-

“Under the aforesaid facts and circumstances of the case, it is therefore, prayed that this Hon’ble Court may graciously be pleased to issue a writ of mandamus or any other appropriate writ/writs by quashing the order under Annexure-10.

And further be pleased to direct the Opp. Parties to issue an order of appointment in favour of the petitioner under R.A. Scheme as per Odisha Civil Service (Rehabilitation Assistance) Rule, 1990 instead of Odisha Civil Service (Rehabilitation Assistance) Rule, 2020 as father of the Petitioner died much prior to new rule came into force.

Or pass such other order/orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.

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

4. Learned counsel for the Petitioner further submits that through highlighting his grievances, the petitioner has filed a representation at Annexure-14 to the Writ Petition before the O.P. No.1, 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.1 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.1 to take a decision on the above noted petition taking into account decision of the Hon'ble Supreme Court available at Annexure-15 within a period of three (3) 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