

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.18177 of 2022

Sankar Narayan Choudhury

Petitioner

-versus-

State of Orissa & Others

Opposite Parties

**COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

Order No

**ORDER
28.07.2022**

- 1.** This matter is taken up through Hybrid Mode.
- 2.** Heard learned counsel for Petitioner and learned counsel for the State-Opposite Parties.
- 3.** The present Writ Petition has been filed with the following prayer:-

“(i) Admit the writ petition.

(ii) Issue Rule NISI calling upon the Opp. Parties to show cause as to why the petitioner shall not be paid unutilized leave salary in respect of earned leave at his credit on the date of his retirement.

(iii) And if the Opposite parties fails to show cause or show insufficient cause, the rule may be made absolute against Opposite Parties and a writ mandamus may be issued directing the Opposite party to sanction and disburse the unutilized leave salary in respect of earned leave at the credit of petitioner on the date of his retirement within a stipulated period of time.

(iv) And further be pleased to pass such other order(s), direction (s) as deem fit and proper to the facts and circumstances of the case to give complete relief to the petitioner”.

4. He further submits that through highlighting his grievances, the petitioner has filed a representation on 07.05.2022 at Annexure-5 to the Writ Petition, before the opposite party No.3 but till date nothing has been done in the matter. In such background, he prays that a direction be issued to opposite party No.3 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.3 to take a decision on the above noted petition in accordance with law and also taking into account the order passed under Annexure-6 within a period of three months from the date of production of certified copy of this order and communicate the result of such exercise to the petitioner.

6. With the aforesaid observation and direction, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

Subrat