

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.21214 of 2022

Bidyut Chandra Panda

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

**COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
20.09.2022**

Order No

1. This matter is taken up through Hybrid Mode.
2. Heard Mr. T.K.J.Samanta, learned counsel for Petitioner and Mr. A.P.Das, learned Addl. Standing Counsel for the State- Opposite Parties.
3. The present Writ Petition has been filed with the following prayer:-

“(i) Issue rule NISI calling upon the Opp.Parties to show cause as to why the adverse comments and below bench mark grading in the Annual performance Report for the period from 01.04.2019 to 31.03.2020 issued by the opposite party shall be quashed or set aside;

(ii) If the Opp.Parties failed to show cause or show insufficient or false cause make the Rule NISI absolute and allow this writ petition with cost;

(iii) And pass such other suitable and further orders as this Hon’ble Court may deemed fit and proper in the interest of justice”.
4. Learned counsel for the Petitioner submits that against the communication of the adverse CCR by the Government under Annexure-1 on dtd. 03.03.2021, the Petitioner submitted his representation against such adverse CCR on 8.4.2021 under Annexure-2.

5. Learned counsel for the Petitioner submitted that in spite of submissions of such reply when no further action was taken, the Petitioner approached again the Opposite Party No.1 under Annexure-5 with a prayer to consider his reply and pass an appropriate order on the same as he is otherwise prejudiced due to such non-consideration.

6. Learned counsel for the Petitioner submitted that in spite of such reminder issued on Annexure-5, no decision has been taken by the Opposite Party No.1 in passing appropriate order on the reply submitted by the Petitioner under Annexure-2 with the regard to the adverse CCR communicated under Annexure-1.

7. Taking into account the limited nature of prayer, this Court while disposing the Writ Petition directs the Opposite Party No.1 to take a lawful decision on the matter taking into account the reply submitted under Annexure-2 within a period of one month from the date of receipt of this order and communicate the result thereof to the Petitioner.

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

(Biraja Prasanna Satapathy)
Judge

Subrat