

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No. 22936 OF 2022**

***Khiramani Nayak***

....

***Petitioner***

Mr. Satya Shiva Dash, Advocate

*-versus-*

***State of Odisha and others***

....

***Opp. Parties***

Mr. Swayambhu Mishra,  
Additional Standing Counsel

**CORAM:**

**JUSTICE K.R. MOHAPATRA**

**ORDER**

**24.09.2022**

**Order No.**

01. 1. This matter is taken up through hybrid mode.
2. The Petitioner in this writ petition prays for a direction to the Superintendent of Community Health Centre, Ganjam- Opposite Party No.4 to hire his vehicle bearing Registration No.OR-07-R-3995 (Tata Sumo Gold) afresh as per the revised guidelines under Annexure-3.
3. It is submitted by Mr. Dash, learned counsel that the vehicle of the Petitioner was hired for Rashtriya Bal Swasthya Karyakram (RBSK). Although the authorities require the vehicle for RBSK, they are not hiring his vehicle. It is his submission that outstanding due in respect of hiring of the vehicle of the Petitioner has not been paid. In that regard, although the Petitioner made a representation to the Chief Medical District Officer, Ganjam at Berhampur under Annexure-4, but the same has not yet been redressed. Hence, he prays for a direction to dispose of the representation of the Petitioner pending before the Opposite Party No.4 at an early date.

4. Mr. Mishra, learned Additional Standing Counsel objecting to such submission contended that as per the office memorandum dated 6<sup>th</sup> September, 2019 issued by Finance Department with regard to hiring of private vehicle for office use under Government Officials and the formant of agreement attached to the said memorandum, it is clear that in the event of any dispute or difference relating to the interpretation and/or application of the provisions of this agreement, such dispute or difference shall be resolved through mutual consultation by the Secretary of the concerned Administrative Department on behalf of Government of Odisha and the authorized signatory of the Service Provider. He, therefore, submits that the Chief District Medical Officer, Berhampur at Ganjam does not have any competency to entertain the prayer of the Petitioner either with regard to hiring of the vehicle or with regard to payment of any outstanding dues.

5. In view of the above, this Court refusing to entertain the prayer made in this writ petition with regard to hiring of the vehicle of the Petitioner grants leave to the Petitioner to make an application to the Chief District Medical Officer, Ganjam at Berhampur-Opposite Party No.3, who shall take a decision with regard to outstanding dues, if any, in respect of hiring of his vehicle bearing Registration No. OR-07-R-3995 (Tata Sumo Gold), within a period of four weeks from the date of such application, if made, within a period of two weeks hence along with certified copy of this order.

6. With the aforesaid observation and direction, this writ petition is disposed of.

7. A free copy of this order be handed over to Mr. Mishra, learned Additional Standing Counsel for compliance and communication.

Urgent certified copy of this order be granted on proper application.

**(K.R. Mohapatra)**  
**Judge**

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