

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No.594 of 2018

Saroja Kumari Ray

....

Petitioner

Ms. Nandita Patra, Advocate

-versus-

s

State Of Odisha and others

....

Opposite Parties

Mr.S.N.Mohapatra, S.C. for S&ME Deptt.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

18.02.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Standing Counsel for School and Mass Education Department.
3. Learned counsel for the Petitioner submits that Petitioner has submitted a representation to the District Education Officer, Cuttack, indicating therein his grievance on 02.05.2014 (Annexure-7) was not considered. Thereafter, the Original Application was filed before the learned Tribunal. After abolition of the learned Tribunal, the same was transferred to this Court and during pendency of the writ petition, another comprehensive representation dated 20.9.2021 has been filed under Annexure-8 before the Commissioner-cum-Secretary, Govt. of Odisha, School and Mass Education Department, Opposite Party No.1. He further submitted that the same is also still pending consideration before the said Authority.
4. Learned Standing Counsel for the School and Mass Education Department further submits that he is not sure whether the

representation of the Petitioner under Annexure-8 is pending before the Opposite Party No.1 or not? In the event such a representation is pending before the Opposite Party No.1, direction may be issued to the Authority to consider and dispose of the same in accordance with law in the light of the judgment delivered by the Orissa Administrative Tribunal in OA No.338(C) of 1992(O.A.-1874/92) in the matter of ***Bhabani Sankar Mishra vs. State of Orissa and another***, which was disposed of on 30.07.2010, which is filed here under Annexure-5 to the writ petition.

5. Having heard learned counsel for the Petitioner, this Court disposes of the writ petition with a direction to the Opposite Party No.1 consider the representation of the Petitioner dated 20.09.2021 (Annexure-8) within a period of two months from the date of communication of the copy of this order. It is needless to mention here that the Authority shall consider and dispose of the same by passing a speaking and reasoned order, Decision so taken on the representation of the Petitioner shall be communicated to the Petitioner within a period of ten days thereafter. It is made clear that this Court has not expressed any opinion on the merits of the case.

6. With the aforesaid direction, the writ petition stands disposed of.

7. Issue urgent certified copy of this order on proper application.

(***A.K. Mohapatra***)
Judge