

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 26460 OF 2022

Debendra Kumar Acharya **Petitioner**
Mr.Brahmananda Tripathy, Advocate
-versus-

State of Odisha of others **Opposite Parties**
Mr.B.P.Tripathy, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

03.11.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Additional Government Advocate.
3. The Petitioner has filed the present writ application with the following prayer:

“ It is therefore respectfully prayed that this Hon’ble Court may be graciously pleased to admit the Writ Petition, issue Rule Nisi calling upon the opposite parties to show cause as to why the service of the petitioner shall not be regularized in the post of typist pursuant to the order vide Annxure-1 and as to why his retiral and other pensionary benefits shall not be granted to him, if the opposite parties failed to show cause or show insufficient cause the said rule may be made absolute and the Writ Petition may be allowed in his favour directing the opposite parties to regularize his service I the post of Typist pursuant to the order vide Annexure-1 & 3 and direct to release his retiral benefit and pensionary benefits to him and to pass any other appropriate order or orders as may deem fit and proper in the eye of law.”

4. In course of hearing of the writ application, learned counsel for the Petitioner submits that the Petitioner ventilating his grievance has submitted representation before the Executive Engineer, RWS& S

Division, Cuttack, Opposite Party No.5 under Annexure-4. It is also submitted by the learned counsel for the Petitioner that the said representation is pending as of now. It is also submitted by the learned counsel for the Petitioner that a direction be issued to the Opposite Party No.5 to consider the representation of the Petitioner under Annexure-4 within a stipulated period of time.

5. Learned Additional Standing Counsel submits that he has no objection if the representation of the Petitioner is considered by the Opposite Party No.5, which is stated to be pending, in accordance with law within a stipulated period of time.

6. Considering the limited nature of grievance of the Petitioner, the writ application is disposed of at the stage of admission with a direction to the Opposite Party no.5 to consider the representation of the Petitioner under Annexure-4 in accordance with law within a period of six weeks from the date of production of certified copy of this order keeping in view Annexure-3. In the event it is found that any dues is payable the same shall be payable within four weeks thereafter. The Opposite Party No.5 shall do well to dispose of the representation of the Petitioner under Annexure-4 by passing a speaking and reasoned order.

7. With the aforesaid observation, the writ application stands disposed of.

8. Issue urgent certified copy of this order as per Rules.

RKS

(A.K. Mohapatra)
Judge