

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 26525 of 2022

Nalini Kanta Tripathy

.....

Petitioner

Mr. A.K. Nayak, Advocate

Vs.

*National Medical
Commission, New Delhi and
others*

.....

Opposite parties

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

23.11.2022

Order No.

02

This matter is taken up through hybrid mode.

2. Heard learned counsel for the petitioner.

3. In compliance to the order of this Court dated 11.11.2022, Mr. A.K. Nayak, learned counsel for the petitioner contended that in view of the decision rendered in the case of *Sanjay Kumar Kar v. Principal-cum-Secretary, Bhadrak Engineering College*, 2019 (I) OLR 735 and *Dr. Uttam Kumar Samanta v. KIIT University and others*, 2014 (Supp-II) OLR 852, the writ petition is maintainable since the institution is discharging the public duty. Therefore, the query made by this Court is meted out.

4. The petitioner has filed this writ petition seeking direction to opposite party No.3 to issue relieving order, experience certificate and so also balance salary to the petitioner.

5. In course of hearing, learned counsel for the petitioner states that highlighting the grievance, the petitioner has made representation to the opposite party no.1 vide Annexure-7 and direction may be given to consider and dispose of the same within a stipulated time, to which

learned State Counsel has no objection.

6. As agreed to by learned counsel for the parties, this Court without expressing any opinion on the merits of the case, disposes of the writ petition directing the opposite party no.1 to take a decision on the representation filed by the petitioner vide Annexure-7 and pass appropriate order in accordance with law, within a period of three months from the date of production of certified copy of this order by the petitioner.

6. Issue urgent certified copy as per rules.

Arun

(DR. B.R. SARANGI, J.)

