

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.27228 of 2022

Gopinath Banchhar

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
21.10.2022

Order No

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned counsel appearing for the State-Opp. Parties.
3. The Petitioner has filed the present writ petition with the following prayer:-

"This Hon'ble Court may pleased to admit this writ petition, issue notice to Opposite Parties especially Opposite Party No.3 to file show cause as to why the order dated 19.01.2022 passed by the Opposite Party No.3 in dismissing the present Petitioner at Annexure-6 be not quashed and the Petitioner be not re-instated in the service of Constable by the Opposite Party No.3 considering his representation at Annexure-8, if the Opposite Party No.3 fails to file show cause or shows insufficient cause then this Hon'ble Court after hearing the counsel of both parties be pleased to issue a writ in the nature of Mandamus and quash the order dated 19.01.2012 passed by the Opposite Party No.3 in removing the present Petitioner from service and direct the Opposite Party No.2 and 3 to re-instate the

Petitioner in the post of Constable under his jurisdiction by considering the representation under Annexure-8.

And pass such other order/orders, direction/directions as deem fit and proper to the facts and circumstances of the case to give complete relief to the Petitioner.”

4. Learned counsel for the Petitioner submits that the Petitioner has already ventilated his grievance by filing a representation before the Opposite Party No.2 on 10.05.2022 under Annexure-8 to the writ petition, but till date nothing has been done on the same. In such background, learned counsel for the Petitioner prays that a direction be issued to the Opposite Party No.2 to take a decision on the above noted representation of the Petitioner within a specific time period.

5. Considering the submissions made and without expressing any opinion on the merits of the case, this Court directs the Opposite Party No.2 to take a decision on the representation of the Petitioner dated 10.05.2022 under Annexure-8 to the writ petition in accordance with law within a period of three months from the date of receipt of this order and communicate the result of such exercise to the Petitioner.

6. The writ petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Debasis