

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 27607 OF 2022

Tarini Charan Panda

..... Petitioner
Mr.S.Senapati, Advocate

-versus-

State of Odisha and others

..... Opposite Parties
Mr.A.Behera, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

26.10.2022

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 Standing Counsel.
3. The Petitioner has filed the present writ application with the following prayer:

“ It is, therefore, humbly prayed that this Hon’ble Court may graciously be pleased to issue Rule Nisi calling upon the Opp.Parties to show cause as to why appropriate writ/writs shall not be issued directing them to sanction and release full pension and all other retirement benefits of the Petitioner by counting his entire period of service rendered by him in both, J.C. Establishment and regular Establishment within a stipulated time and on perusal of causes shown if any or upon insufficient causes shown, make the said rule absolute and may pass such other order/orders as deemed just and proper.

And for this act of kindness the Petitioner shall, as in duty bound ever pray.”

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 Collector, Nawarangpur, Opposite Party No.3 on 21.06.2022 under Annexure-6. 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.3 to consider the representation of the Petitioner under Annexure-6 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.3, 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.3 to consider the representation of the Petitioner under Annexure-6 in accordance with law within a period of eight weeks from the date of production of certified copy of this order. The Opposite Party No.3 shall do well to dispose of the representation of the Petitioner under Annexure-6 by passing a speaking and reasoned order. While considering the representation of the Petitioner the Opposite Party No.3 is directed to consider the decision of the Orissa Administrative Tribunal, Cuttack in O.A.No.1456(C) of 2014 decided on 29.03.2017 and the decision of this Court in W.P.(C) No.15789 of 2017 decided on 18.07.2019. The Petitioner is directed to serve copy thereof on Opposite Party No.3 along with certified copy of this order.

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

8. Issue urgent certified copy after removal of defects.

