

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.28023 of 2022

Akshaya Chandra Das

..... Petitioner
Mr.Swapnil Roy, Advocate

-versus-

State of Odisha & others

..... Opposite Parties
Mr. P.K.Rout, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

02.11.2022

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.

4. The Petitioner has filed the present writ application with the following prayer:

“ It is, therefore, prayed that this Hon’ble Court may graciously be pleased to admit the writ petition and issue Rule NISI to the Opp.Paties to show cause as to:

- i) Why the action of the Opposite Parties in not regularizing the services of the Petitioner in the facts and circumstances of the case will not be declared as illegal; and
- ii) Why the Opposite Parties will not be directed to regularize the services of the Petitioner prior to his retirement; and
- iii) Why the Opposite Parties will not be directed to sanction pension and other pensionary benefits as due and admissible in favour of the Petitioner on such regularization of his service; and

And if the Opp.Parties do not show cause then the Rule be made absolute by issuing appropriate writ/writs and any other order as deem fit be passed.

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 Principal Secretary to Government, Water Resources Department, Opposite Party No.1 under Annexure-10. 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.1 to consider the representation of the Petitioner under Annexure-10 within a stipulated period of time.

5. Learned Additional Government Advocate submits that he has no objection if the representation of the Petitioner is are considered by the Opposite Party No.1, 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.1 to consider the representation of the Petitioner under Annexure-10 in accordance with law within a period of three months from the date of production of certified copy of this order. The Opposite Party No.1 shall do well to dispose of the representation of the Petitioner under Annexure-10 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.