

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.28253 of 2022

Gagan Chandra Chand

.... ***Petitioner***
Mr. S.K Dash, Advocate

-versus-

State of Odisha and others

.... ***Opp. Parties***
Mr. P. Behera,
Standing Counsel for the Transport
Department

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
01.11.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner as well as learned counsel for the State. Perused the record.
3. The present writ petition has been filed by the petitioner with the following prayers:

“Under the facts and circumstances stated above, it is, therefore, prayed that Your Lordships may be graciously be pleased to admit this Writ petition and issue notice to the opposite parties calling upon them to show cause as to why the prayer made in this application by the petitioner for payment or arrear differential unutilized leave salary and differential Dearness Allowance relating to Revised Scale of Pay Rules, 1998 along with all connected dues will not be allowed’

And if the Opp.parties fail to show cause or show

insufficient cause, Your Lordship may be pleased to pass order/direction to pay such differential amount of dues to the petitioner within a reasonable period or may be pleased to pass order to dispose of the representation dated 12.09.2022 vide Annexure-4 favourably within a time bound period.

And to issue any other writ or writs, direction or directions, order or orders as this Hon'ble Court deems fit and proper."

4. It is submitted by learned counsel for the petitioner that although the petitioner has filed representation dated 12.09.2022 under Annexure-4 before the Principal Secretary to Government, Transport Department, Odisha, Bhubaneswar-Opposite Party No.2, the same is still pending before the said Opposite Party and the said Opposite Party has not taken any decision as of now.

5. Learned counsel for the State submits that he has no objection, if a direction is given to the authorities to consider the grievance petition of the petitioner in accordance with law within a stipulated period of time.

6. Considering the submissions made by the respective parties, the limited nature of grievance involved in the present writ petition, keeping in view the case of the petitioner, this Court disposes of the writ petition at the stage of admission with a direction to the Principal Secretary to Government, Transport Department, Odisha, Bhubaneswar-Opposite Party No.2 to consider the representation of the petitioners dated 12.09.2022 under Annexure-4 in accordance with law within a period of eight weeks from the date of production of certified copy of this order. It is needless to mention here that the

representation of the petitioner shall be considered and disposed of by passing a speaking and reasoned order. Any decision so taken on the said representation shall be communicated to the petitioner within a period of two weeks thereafter.

7. With the aforesaid observation/direction, the writ petition is disposed of.

Urgent certified copy of this order be granted on proper application.

Jagabandhu

