

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OA) No.2042 of 2014

Manoj Kumar Mahananda

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
30.03.2022**

Order No

- 01.** 1. This matter is taken up through Hybrid Mode.
2. Heard Mr. Bisoi, learned counsel for the Petitioner and Mr. Balabantaray, learned counsel for the State.
3. The Petitioner has filed the present writ Petition with the following prayer:

“In view of the facts and circumstances as narrated in para-6 above, it is ardently prayed that your lordships may kindly be pleased to direct the Respondent No.1 & 3 to declare the applicant as Jr. Class-I of the service with effect from 28.2.2009 along with all service & financial benefits within a time stipulation as fixed by this Hon’ble Tribunal.

And pass any other order/orders as deemed fit and proper in the interest of justice, equity and good conscience.

And for which act of your kindness the applicant shall as on duty bound ever pray.”

4. On a bare perusal of the pleadings, it shows that the Petitioner prior to moving this court had never moved the authorities seeking extension of the benefits relying on the Cabinet decision taken on 28.02.2009.

5. Mr. Bisoi, learned counsel for the Petitioner accordingly prayed that liberty be given to the Petitioner to move appropriate application before the Opp. Party No.1 seeking extension of the benefits as claimed in the present writ Petition.

6. It is therefore observed that if the Petitioner files a representation before Opp. Party No.1 within a period of four weeks from today by enclosing all the releavant documents and citations, O.P. No.1 shall take a lawful decision on the same within a further period of three months.

7. The decision so taken by the authority be also communicated to the Petitioner.

8. The writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha