

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.28375 of 2022

Sri Raghunath Behera

.... ***Petitioner***
Mr. B.K. Raj, Advocate

-versus-

State of Odisha & Others

.... ***Opp. Parties***
Mr. B.P. Tripathy, AGA

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

21.11.2022

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-Opposite Parties.
3. The present writ petition has been filed by the Petitioner with the following prayers:

“The petitioner therefore prays that in view of the submissions made above the Hon’ble Court may be graciously pleased to issue Rule NISI, calling upon the opposite parties to show cause as to;

i) Why the petitioner shall not get enhanced remuneration w.e.f. 16.10.2017 till 23.06.2022 as per Resolution No.38748 D&A dt. 16.10.2017 of Home Department.

ii) As to why the petitioner shall not get uniform allowance from the Financial Year 2012-2013 to 2021-2022.

If the opposite parties fail to show cause or show insufficient cause the rule be made absolute.

And further be pleased to direct the Opp. Party No.4 to sanction and disburse the enhanced remuneration w.e.f. 16.10.2017 till 23.06.2022 as per resolution No.38748 DSA dt. 16.10.2017 of the Home Department and to disburse the uniform allowances from the financial

year 2012-2013 to 2021-22 within stipulated period.

And/or any other order(s)/direction(s) as your Lordship deem fit and proper.”

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation dated 31.05.2021 before the Opposite Party No.4 under Annexure-10 Series, but 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 authority concerned to consider the representation of the Petitioner in accordance with law within a stipulated period of time.

6. Considering the submissions made by the respective parties and without expressing any opinion on the merits of the case, this Court disposes of the writ petition at the stage of admission with a direction to the Opposite Party No.4 to consider the representation of the Petitioner dated 31.05.2021 under Annexure-10 Series in accordance with law within a period of three months 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. Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge