

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.28603 of 2022

Dheran Kumar Sutar

....

Petitioner

Mr. U.C. Mahapatra, Advocate

-versus-

State of Odisha and another

....

Opp. Parties

Mr. A. Behera, A.S.C.

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 as well as learned counsel for the State. Perused the record.
3. The Petitioner has filed this writ petition with the following prayer :

“It is, therefore, humbly prayed that the Hon’ble Court may graciously be pleased to admit the writ petition, issue RULE NISI in the nature of appropriate writ or any other writ(s) as deem fit and proper calling upon the Opp. Parties to show cause, as to why the prayer made hereunder be not allowed, and if no/insufficient cause, the said rule be made absolute by issuing writ(s) in the nature of;

The Opp. Parties be directed to modify the order dt. 22.2.2016 at Annexure-6 by granting the Grade Pay of Rs.6600/- instead of Rs.5400/- w.e.f. 1.1.2013 on completion of 30 years of service to the petitioner in accordance with the provisions of the ORSP Rules, 2008 with all other consequential benefits since similar benefits have been granted to the similarly situated employees as per the order at Annexure-10 & 11. The amounts so due on enhancement of the Grade Pay to Rs.6600/-, may be drawn & disbursed with arrears to him with consequential benefits at an early date in accordance with the settled principle of

law in the interest of justice.

And further be pleased to pass such other writ(s)/order(s) as may deem just and proper,”

4. It is further submitted by learned counsel for the petitioner that although the petitioner has filed representations dated 17.11.2018 and 14.10.2022 under Annexure-14 series before the Engineer-in-Chief(Civil), 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. Considering the submissions made, 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 Engineer-in-Chief(Civil), Odisha, Bhubaneswar-Opposite Party No.2 to consider the representation of the petitioner dated 17.11.2018 and 14.10.2022 under Annexure-14 series taking into consideration Annexures-10, 11 and 13 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.

6. With the aforesaid observation the writ application stands disposed of.

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

(A.K. Mohapatra)
Judge