

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.29052 of 2022

Abidananda Mohanty

....

Petitioner

Mr. L. Pradhan, Advocate

-versus-

***Director of Municipal
Administration-cum-Additional
Secretary to Govt. of Odisha,
Housing and Urban Development
Department, Lok Seva Bhawan,
Bhubaneswar and others***

....

Opposite Parties

Mr. B.P. Tripathy, AGA

**CORAM:
JUSTICE A.K. MOHAPATRA**

**ORDER
30.11.2022**

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:

“It is therefore prayed that your Lordship would be graciously pleased to issue a Rule NISI in the nature of mandamus, calling upon the Opposite Parties to show cause as to why;

- (i) *Petitioner’s pension will not be revised on fixation of the pay scale as per 6th & 7th pay commission Report and paid to him with other dues; and*
- (ii) *Petitioner will not be paid his arrears as per the statement vide Annexure-2 & 4.”*

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation dated 01.08.2022

before the Opposite Party No.2 under Annexure-8, 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.2 to consider the representation of the Petitioner dated 01.08.2022 under Annexure-8 in accordance with law within a period of six 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. Urgent certified copy of this order be granted on proper application.

(**A.K. Mohapatra**)
Judge