

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.29219 of 2022

Purna Ch. Moharana

....

Petitioner

Mr. T. Panigrahi, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. T.K. Pattnaik, ASC

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

06.12.2022

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 Additional Standing Counsel appearing for the State-Opposite Parties.
 3. The present writ petition has been filed by the Petitioner with the following prayers:-

“Therefore, it is humbly prayed by the petitioner seeking the following relief(s):-

- i) Admit and allow the Writ;*
- ii) Call for the records;*
- iii) Issue “Rule NISI” calling upon the opp. parties as to why the petitioner shall not be paid or disbursed Gratuity of Rs.3,65,356/- along with due interest as admissible by Rule 49(5)(a) of O.C.S. (Pension) Rule and in case the Opp. parties are failed to file show cause or insufficient show cause make the rule absolute and issue any writ, writs, direction/directions in the nature of;*
- iv) To pass an order by way of Writ of Mandamus to directing the Opp. Parties to*

disposed of pending representation within time limit for payment of Gratuity in favour of petitioner.”

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation dated 20.07.2022 before the Opposite Party No.3 under Annexure-5, 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 Additional Standing Counsel appearing for the State-Opposite Parties 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.3 to consider the representation of the Petitioner dated 20.07.2022 under Annexure-5 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. Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge