

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.29305 of 2022

Dr. Sakti Prasad Das

....

Petitioner

Mr. S.K Dash, Advocate

-versus-

***The Union Government of India
and others***

....

Opp. Parties

*Mr. P. K. Parhi, DSGI along with Mr. S.
Panda, C.G.C.*

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

14.11.2022

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 present writ petition has been filed by the petitioner with the following prayers:

“It is, therefore, prayed that, this Hon’ble Court would graciously be pleased to admit the Writ Petition, call for the relevant Records and issue Rule NISI, calling upon the Opposite Party Authorities to show cause as to why the prayer of the Petitioner shall not be allowed, and if the Opposite Party fail to show cause or show insufficient cause, the said Rule be made absolute;

And may be pleased to command the Opp. Party Authorities, more specifically the Opp. Party No.3 to

grant and release the benefits to the Petitioner as admissible to him under the DACP Scheme in PB-III Category at the earliest and also to allow him avail any other consequential benefits those might have accrued in his favour in the meantime apropos of the Scheme as mentioned here in above, within a stipulated time frame as would be fixed by this Hon'ble Court by issuing a Writ in the nature of Mandamus;

And may further be pleased to issue any other Writ(s) in its appropriate nature, Direction(s)/ Order(s) deem fit and proper under the facts and circumstances of the case;"

4. It is submitted by learned counsel for the petitioner that although the petitioner has filed representation dated 13.07.2022 under Annexure-6 before the Secretary of Empowerment of Persons with Disabilities, New Delhi-Opposite Party No.3, 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 Union of India submits that he has no objection, if a direction is given to the authorities to consider the grievance petition of the petitioner in accordance with law within a stipulated period of time.

6. Considering the submissions made by the respective parties, 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 Secretary of Empowerment of Persons with Disabilities, New Delhi-Opposite Party No.3 to consider the representation of the petitioner

dated 13.07.2022 under Annexure-6 keeping in view 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. With the aforesaid observation/direction, the writ petition is disposed of.

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

Jagabandhu

