

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OA) No. 1520 of 2013

Bipinbihari Panda

.....

Petitioner

Mr. L. Samal, Advocate

Vs.

State of Odisha and others

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

03.03.2022

Order No.

01

This matter is taken up through hybrid mode.

2. The petitioner has filed this writ petition seeking direction to the opposite parties to disburse the balance salary of the petitioner for the period from 18.11.1997 to 22.09.1998 in the post of Superintending Engineer (Level-I) along with house rent allowance for the aforesaid period by way of regularizing the suspension period, as neither any departmental proceeding nor any criminal proceeding is pending against the petitioner.

3. In course of hearing, learned counsel for the petitioner states that the petitioner may be permitted to file a fresh representation before opposite party no.1 highlighting the grievances and direction may be given to consider the same within a stipulated time, taking into consideration the ratio decided by the Orissa Administrative Tribunal in the case of **Dr. Rukmini Mishra v. State of Orissa and others**, 1998 (1) ATT (OAT) 193, under Annexure-6, to which learned counsel for the State has no objection.

4. As agreed to by learned counsel for the parties, however, without expressing any opinion on the merits of the case, this writ petition stands disposed of with the direction that in case the petitioner, with regard to the grievance made in this petition, files a

fresh comprehensive representation before opposite party no.1, within fifteen days hence, the said authority shall consider the same and pass a reasoned and speaking order, taking into consideration ratio decided in ***Dr. Rukmini Mishra*** (supra), as expeditiously as possible, preferably within a period of three months from the date of receipt of such representation along with the certified copy of this order.

5. Issue urgent certified copy as per rules.

Alok

(DR. B.R. SARANGI)
JUDGE

