

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.29396 of 2022

Prasanta Kumar Bagarti & another* *Petitioners
Ms.B.K.Patnaik, Advocate

-versus-

State of Odisha and others* *Opposite Parties
Mr.B.P.Tripathy, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
18.11.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioners and learned Additional Government Advocate.
 3. The Petitioners have filed the present writ application with the following prayer:

“ It is therefore humbly prayed that this Hon’ble Court may graciously be pleased to admit the case, call for the records and after hearing both the parties pass the following reliefs;

 - i) To direct the Opposite Parties to promote the Petitioners to the rank of Havildar against existing vacancies before conducting the District Drill test.
 - ii) To direct the Opposite Parties to grant all financial and consequential benefits flowing from the order of promotion.
 - iii) And pass such other order/orders as may be deemed fit and proper for the interest of justice.”
 4. In course of hearing of the writ application, learned counsel for the Petitioners submits that the Petitioners ventilating their grievance

have submitted representation before the Superintendent of Police, Sambalpur, Opposite Party No.3 on 28.10.2022 under Annexure-4. It is also submitted by the learned counsel for the Petitioners that the said representation is pending as of now. It is also submitted by the learned counsel for the Petitioners that a direction be issued to the Opposite Party No.3 to consider the representation of the Petitioners under Annexure-4 within a stipulated period of time.

5. Learned Additional Government Advocate submits that he has no objection if the representation of the Petitioners is considered by the Opposite Party No.3, which is stated to be pending, in accordance with law within a stipulated period of time.

6. Considering the limited nature of grievance of the Petitioners, the writ application is disposed of at the stage of admission with a direction to the Opposite Party no.3 to consider the representation of the Petitioners under Annexure-4 in accordance with law within a period of six weeks from the date of production of certified copy of this order. The Opposite Party No.3 shall do well to dispose of the representation of the Petitioner under Annexure-4 by passing a speaking and reasoned order taking into consideration the judgment of the learned Orissa Administrative Tribunal passed in O.A.No.1260(C) of 2006 and the Police Order under Annexure-1.

7. With the aforesaid observation, the writ application stands disposed of.

8. Issue urgent certified copy of this order as per Rules.