

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.29400 of 2022

Sunil Kumar Bhanja and others ***Petitioner***
Mr. G. Sethi, Advocate

-versus-

State of Odisha & Others ***Opp. Parties***
Mr. N.K. Praharaj, AGA

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

21.11.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners as well as learned counsel for the State-Opposite Parties.
3. The present writ petition has been filed by the Petitioners with the following prayers:
- “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. It is submitted by learned counsel for the Petitioners that although the Petitioners have filed representation dated 28.10.2022

before the Opposite Party No.3 under Annexure-4, 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 Petitioners 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 Petitioners dated 28.10.2022 under Annexure-4 taking into consideration Annexure-1 and the order passed by the Orissa Administrative Tribunal in O.A. No.1260(C) of 2006 in accordance with law within a period of three months from the date of production of certified copy of this order. It is needless to mention here that the representation of the Petitioners 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 Petitioners within a period of two weeks thereafter.

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

(A.K. Mohapatra)
Judge