

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.29485 of 2022

Manjulata Biswal

....

Petitioner

Ms.Sharmistha Samal, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. A.Behera, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

11.11.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Additional Standing Counsel.
3. The Petitioner has filed the present writ application with the following prayer:

“ Under the premises as stated above the humble petitioners fervently pray that your Lordships graciously pleased to admit the Case and after being heard from the both parties, allow the Writ Petition to the extent that

Issue appropriate writ/direction by directing the Opposite Party No.1 to take effective steps with extend to Financial upgradation under 3rd RACP with Grade Pay of Rs.6600/- taking into account the decision of this Hon’ble Court and release the differential salary in shape of arrears in W.P.(C) No.2831 of 2016 which has also been confirmed by the Hon’ble Apex Court in Diary No.(S) 20358 of 2017 (State of Odisha –vrs.-Bihari Lal Barik) and order dated 13.01.2020 passed in W.P.(C) No.29120 of 2019;

And/or pass such other order/orders, direction/directions as this Hon’ble Court may think fit and proper for the ends of justice.”

4. In course of hearing of the writ application, learned counsel for the Petitioner submits that the Petitioner ventilating his grievance has submitted representation before the Principal Secretary, Home Department, Odisha, Bhubaneswar, Opposite Party No.1 under Annexure-7. It is also submitted by the learned counsel for the Petitioner that the said representation is pending as of now. It is also submitted by the learned counsel for the Petitioner that a direction be issued to the Opposite Party No.1 to consider the representation of the Petitioner under Annexure-7 within a stipulated period of time.

5. Learned Additional Standing Counsel submits that he has no objection if the representation of the Petitioner is considered by the Opposite Party No.1, 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 Petitioner, the writ application is disposed of at the stage of admission with a direction to the Opposite Party no.1 to consider the representation of the Petitioner under Annexure-7 in accordance with law within a period of eight weeks from the date of production of certified copy of this order. The Opposite Party No.1 shall do well to dispose of the representation of the Petitioner under Annexure-11 by passing a speaking and reasoned order.

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

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