

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.29704 of 2022

Shri Paramananda Sethi

.... ***Petitioner***
Mr. N. Panda, Advocate

-versus-

State of Odisha and 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 Petitioner as well as learned counsel for the State-Opposite Parties.
3. The present writ petition has been filed by the Petitioner with the following prayers:

“That, the Petitioner therefore prays that this Hon’ble Court may graciously be pleased to admit this petition. Issue notice to Opp. Parties. By considering the facts and grounds stated above a direction may issue to Opposite Parties to release the current salary and arrear salary of the Petitioner by preparing the Bill and release the salary soon by giving a direction to Executive Engineer, R.W.S. &S. Division, Bhadrak to send the papers to Regional Pension Provident Fund Commissioner, Bhubaneswar soon.

And may pass any other further order this Hon’ble Court may fit and proper pass in favour of the Petitioner.”

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation dated 05.03.2022

before the Opposite Party No.4 under Annexure-1, 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 Petitioner 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.4 to consider the representation of the Petitioner dated 05.03.2022 under Annexure-1 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. It is made clear that if it is found that some amount is due and admissible to the Petitioner as per the law, the same shall be released in his favour within a period of two months, failing which, the authority shall be liable to pay interest @ 7% till the actual payment is made.

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

(A.K. Mohapatra)
Judge