

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 2020 of 2012

Sanjukta Kumari Das

....

Petitioner

Mr. L.K. Mohanty, Advocate

-versus-

State of Odisha & others

....

Opp. Parties

*Mr. Debasish Mohapatra, Standing
Counsel (School and Mass Education)*

**CORAM:
JUSTICE M.S. SAHOO**

ORDER

30.03.2022

Order No.

- 02.
1. This matter is taken up through hybrid mode.
 2. When the matter was taken up on 21.02.2022, considering in some detail, the following order was passed after hearing learned counsel for the parties:-

"The writ petition is registered before this Court on 29.11.2021 after the Original Application was transferred from the learned Odisha Administrative Tribunal, Cuttack Bench, Cuttack upon its abolition. ସଂସ୍ଥାପନା ନିଷ୍ପତ୍ତି

On perusal of the available order sheets of the learned Tribunal, it is evident that the matter was never taken up after 1.10.2012.

Learned counsel for the petitioner submits that the benefit as claimed by the petitioner has been granted to the similarly situated employees, the details of which he wants to bring on record by filing an affidavit.

Learned Standing Counsel submits that since the petitioner has already retired, she may move the authority for getting as would be due and admissible in accordance with law.

Considering the submissions of the parties, list on 30.3.2022 so as to enable the petitioner to file affidavit as prayed for. Copy of the same shall be served on the learned Standing Counsel by 21.3.2022."

RJ

3. It is submitted by the learned counsel for the petitioner

that he has filed additional affidavit dated 06.03.2022 bringing on record certain further facts and enclosing Annexures-13, 14, 15 and 16.

4. It is submitted by the learned Standing Counsel that the O.A. was filed in the year 2012, the Annexure-13 is dated 05.08.2021, Annexure-14 is dated 29.09.2021, Annexure-15 is dated 23.12.2021 and Annexure-16 dated 10.01.2022 and therefore after a long lapse of time, he is not in a position to address regarding implication of these orders of 2021.

5. Learned counsel for the petitioner submits that the earlier representation as at Annexure-12 dated 16.11.2011 is still pending with the authority as per the instructions received from the petitioner. It is further submitted that the petitioner may be allowed to make a representation afresh before the authority enclosing all the relevant documents sought to be relied upon by the petitioner along with copy(ies) of the earlier representation(s) for consideration by the authority in accordance with law.

6. It is submitted by the learned Standing Counsel that any representation that would be made shall be considered in accordance with law and disposed of by the authority in due time.

7. Having heard learned counsel for the parties, the writ petition is disposed of with the following order:-

8. The petitioner, if so advised, shall make representation afresh before the appropriate authority, enclosing the documents sought to be relied upon by the petitioner along with copy(ies) of the earlier representation(s), if any.

9. The authority shall do well to consider the representation(s) of the petitioner in accordance with law and dispose of the same, as expeditiously as possible, preferably within a period of four months from the date of communication of certified copy of the order along with copy(ies) of the documents sought to be relied upon by the petitioner.

10. The authority shall communicate the order to the

petitioner that is to be passed within two weeks.

11. It is further directed that if the authority finds that petitioner is entitled to get certain service benefits, the authority shall do the needful.

Issue urgent certified copy of this order as per rules.

(M.S. Sahoo)
Judge

