

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30009 of 2022

Bibekananda Brahma

....

Petitioner

Mr.Shashi Bhusan Jena, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr.B.P.Tripathy, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

17.11.2022

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 Government Advocate.
3. The Petitioner has filed the present writ application with the following prayer:

“ Under the aforesaid facts and circumstances of the cases, it is therefore, prayed that this Hon’ble Court may graciously be pleased to issue a writ of mandamus by directing the opp.parties to regularize the Petitioner under regular establishment with effect from the date of initial appointment i.e. with effect from the date of initial appointment i.e. with effect from 18.07.1983.

Ad further be pleased to direct the opp.parties to count his past service for the purpose of pension and pensionary benefits;

Or pass such other order/orders as this Hon’ble Court may deem fit and proper in the facts and circumstances of the cases;”

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, Panchayati Raj and Drinking Water Department, Opposite Party No.1 on 10.07.2022 under Annexure-9. 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-9 within a stipulated period of time.

5. Learned Additional Government Advocate 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-9 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-9 by passing a speaking and reasoned order taking into consideration Annexure-8 series.

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

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