

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30064 of 2022

Manoj Kumar Mukhi

....

Petitioner

Mr.Subrat Kumar Kar, 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:

“ The Petitioner, therefore prays that Your Lordship would graciously be pleased to admit this writ petition, issue notice to the Opp.Parties, call for the records and after hearing all the parties, appropriate direction may be given to the Opposite Party No.4 to consider the case of the Petitioner taking into account the O.C.S.(Rehabilitation Assistance) Rule 2020 after doing the evaluation properly and thereby please to appoint him as a sweeper of the Karanjia Sub-Jail under compassionate appointment in place of his father by issuing Writ/Writs in the nature of Mandamus/Certiorari, in the greater interest of justice.

And further be pleased to give appropriate direction to the O.P.No.4 to consider the representation which is pending before him under Annexure-11 in the greater interests of justice.

And pass any other order(s)/direction(s) as this Hon’ble Court may deem fit and proper.”

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 Senior Superintendent, Circle Jail, Baripada, Opposite Party No.4 under Annexure-11. 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.4 to consider the representation of the Petitioner under Annexure-11 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.4, 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.4 to consider the representation of the Petitioner under Annexure-11 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.4 shall do well to dispose of the representation of the Petitioner under Annexure-11 by passing a speaking and reasoned order taking into consideration the judgment under Annexure-10.

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

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

