

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30390 of 2022

Sarat Kumar Nayak

.... Petitioner
Mr. A.K. Sahu, Advocate

-versus-

State of Odisha and others

.... Opposite Parties
Mr. T.K. Pattnaik, ASC

CORAM:
JUSTICE A.K. MOHAPATRA

ORDER
06.12.2022

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 Additional Standing Counsel appearing for the State-Opposite Parties.
 3. The present writ petition has been filed by the Petitioner with the following prayers:-

“It is therefore humbly prayed that this Hon’ble Court may graciously be pleased to admit the writ application, issue notice to the Opp. Parties and upon hearing the parties be further pleased to issue writ/writs, order/orders, direction/directions, more particularly issue;

- i) *Writ of mandamus or any other appropriate writ commanding the Opp. Parties more particularly Opp. Party No.2 and 5 to immediately release and disburse the legitimate retiral dues of the petitioner as indicated under Annexure-2 in consonance with the judgment dt. 04.03.2020 passed by*

Hon'ble High Court in W.P.(C) No.25638 of 2014 under Annexure-6 with interest @ 9% from the date of entitlement to till its payment/realization within a specific time;

ii) And pass any other order/orders as this Hon'ble Court deem fit and proper as per facts and circumstances of the case."

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation dated 28.12.2021 before the Opposite Party No.2 under Annexure-4 Series, 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 Additional Standing Counsel appearing for the State-Opposite Parties 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.2 to consider the representation of the Petitioner dated 28.12.2021 under Annexure-4 Series in the light of the judgment passed by this Court in the case of ***Braja Kishore Samanta v. OSCARD Bank Ltd & others*** (W.P.(C) No.25638 of 2014 decided on 04.03.2020) under Annexure-6 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.

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

(*A.K. Mohapatra*)
Judge

Debasis

