

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30392 of 2022

Gobinda Chandra Mohanty *Petitioner*

Mr. A.K. Sahu, Advocate

-versus-

State of Odisha and others *Opp. Parties*

Mr. B.Pr. Tripathy, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

05.12.2022

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 counsel for the State. Perused the record.
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 immediate 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 fill its

- payment/realization within a specified 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 27.01.2022 under Annexure-4 series before the Managing Director-cum-Administrator Cadre Committee, Bhubaneswar-Opposite Party No.2, 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 Managing Director-cum-Administrator Cadre Committee, Bhubaneswar-Opposite Party No.2 to consider the representation of the petitioner in accordance with law within a stipulated period of time.

6. Considering the submissions made, the limited nature of grievance involved in the present writ petition, keeping in view the case of the petitioner, this Court disposes of the writ petition at the stage of admission with a direction Managing Director-cum-Administrator Cadre Committee, Bhubaneswar-Opposite Party No.2 to consider the representation of the petitioner dated 27.01.2022 under Annexure-4 series taking into account Annexure-6 in accordance with law within a period of two months 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. With the aforesaid observation/direction, the writ petition is disposed of.

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

(A.K. Mohapatra)
Judge

Jagabandhu

