

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No.99 of 2011

Narottam Mahankuda and others *Petitioners*
Mr.K.C.Sahu, Advocate
-versus-
State of Orissa and others *Opposite Parties*
Mr. K.K. Nayak, ASC for State

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
15.02.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioners and learned Additional Standing Counsel for State.
3. This writ petition has been filed by the Petitioners praying for a direction to the Opposite Parties for regularization of the services of the Petitioners in the post of HVD/LVD retrospectively, i.e. from the date of their regularization in the post of Khalasi with all consequential service and financial/salary benefits in the post of Driver by modifying the orders under Annexures-4 and 5, keeping in view the decision taken in respect of their counterpart NMR Drivers of RWSS Mechanical Division, Bhubaneswar and other divisions so also in view of the long continuance in duties discharged by the Petitioners in the post of Drivers within a specific period of time.
4. Learned counsel for the Petitioners submits that they had filed a representation before the Chief Engineer, R.W.S & S.,

Bhubaneswar-Opposite Party No.2 on 28.12.2009, the same is stated to be pending before the said Authority for consideration.

5. Learned counsel for the State submits that he will have no objection if a direction is given to the Authority to consider the representation of the Petitioners on its own merit.

6. In such view of the matter, this Court is inclined to dispose of the writ petition with a direction to the Opposite Party No.2 to consider the representation of the Petitioners dated 28.12.2009 (Annexure-7), if the same is still pending, taking into account Annexure-6 series within a period of three months from the date of communication of certified copy of this order along with copies of Annexure-6 series. In such event, Opposite Party No.2 shall consider and dispose of the said representation in accordance with law by passing a reasoned and speaking order. The decision so taken on the representation shall be communicated to the Petitioners within a period of ten days thereafter.

7. With the above direction, the writ petition stands disposed of.

8. Issue urgent certified copy on proper application.

(A.K. Mohapatra)
Judge