

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30592 of 2022

Tirthabasi Bag

.... ***Petitioner***
Mr. U. Barik, Advocate

-versus-

State of Odisha & Others

.... ***Opp. Parties***
Mr. T.K. Pattnaik, ASC

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 as well as learned counsel for the State-Opposite Parties.
3. The present writ petition has been filed by the Petitioner with the following prayers:

“It is therefore prayed that your Lordships shall be graciously pleased enough to quash the order of retrenchment dated 13.09.2021 under Annexure-1 and/or issue a writ of mandamus directing the Opposite Parties specifically the Opp. Party No.3 to allow the petitioner to join in the duty as a Home Guard in view of the acquittal in C.T. Case No.299/2021 (T.R. No.116/2021) under Annexure-2;

And/or issue any order/direction/writ which would be deemed fit and proper in the facts and circumstances of the case.”

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation dated 10.06.2022 before the Opposite Party No.3 under Annexure-3 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 counsel for the State 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.3 to consider the representation of the Petitioner dated 10.06.2022 under Annexure-3 in accordance with law 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