

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 3159 of 2011

Benudhar Behera

....

Petitioner

Mr. Ranjit Samal, *Advocate*

-versus-

State of Odisha & Ors.

....

Opp. Parties

Mr. S. Jena, *Standing Counsel*
(*School & Mass Education*)

**CORAM:
JUSTICE M.S. SAHOO**

Order No.

**ORDER
22.02.2022**

02.

This matter is taken up through hybrid mode.

The writ petition has been registered before this Court on 24th November, 2021 after the original application having been transferred from the learned State Administrative Tribunal (SAT), Cuttack Bench, Cuttack upon its abolition.

On perusal of the available order sheets of the learned Tribunal, it is indicated that the matter was never taken up after 04.04.2017. On 04.07.2017, when the matter was last listed, none had appeared before the learned Tribunal and also on 14.02.2022 before this Court, none had appeared.

It is submitted by the learned counsel for the petitioner that the long pendency of the original application has not served any purpose for the applicant (petitioner) seeking payment of arrears of salary/increment/incentives, when the applicant(petitioner) was working as Asst. Teacher in

Lahanda High School in the district of Bargarh.

Learned Standing Counsel referring to Annexure-4 of the writ petition submits that the representation was made on 05.01.2011, no up-to-date instruction is available regarding the decision taken thereon.

Learned counsel for the petitioner submits that he also does not have up-to-date instruction and the petitioner may be permitted to make a representation afresh before the appropriate authority.

Learned Standing Counsel submits that any representation that would be made shall be considered in accordance with law and disposed of in due time.

Having heard learned counsel for the parties and considering the nature of grievances raised in the writ petition, the writ petition is disposed of with the following order:-

The petitioner, if so advised, shall make representation afresh enclosing earlier representation(s) if available stating his claim in detail along with the relevant documents sought to be relied upon by the petitioner before the appropriate authority.

The appropriate authority on receipt of such representation, shall do well to consider the representation of the petitioner in accordance with law as expeditiously as possible, preferably within a period of four months from the date of communication of the certified copy of this order along with other documents sought to be relied upon by the petitioner.

The order that would be passed by the authority shall be communicated to the petitioner within two weeks.

It is clarified that this Court has not expressed any

opinion regarding merits of the case, in any manner whatsoever.

Issue urgent certified copy as per rules.

(M.S. Sahoo)
Judge

RJ

