

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 30789 of 2022

H. Satyanarayan and others

....

Petitioner

Mr. P.V. Balakrishna, Advocate

-versus-

State of Odisha and others

....

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

“It is therefore prayed that this Hon’ble Court may graciously be pleased to admit the writ petition and issue Rule NISI to the opposite parties to show cause as to why without considering the case of the petitioners finalizing the case of the direct recruit in the post of Asst. Manager shall not be declared as illegal and as such liable to be set aside;

Why the opposite parties will not be directed to give promotion to the petitioners and posted as Asst. Manager in the vacancies forthwith;

And if the opposite parties do not show cause or shown insufficient cause this Hon’ble Court be made the aforesaid rule NISI be absolute;

And pass such order(s) as this Hon’ble Court deem fit and proper in the facts and circumstances of the case.”

4. It is submitted by learned counsel for the Petitioners that although the Petitioners have filed representation before the Opposite Party No.3 under Annexure-5, 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 grievance petition of the Petitioners 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 Petitioners under Annexure-5 in accordance with law within a period of four weeks from the date of production of certified copy of this order. It is further directed that before dispose of the representation of the Petitioners as directed above, the Opposite Parties shall not fill up of posts of Assistant Manager upon which the Petitioner is working. It is needless to mention here that the representation of the Petitioners 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 Petitioners within a period of two weeks thereafter.

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

(A.K. Mohapatra)
Judge