

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No. 444 of 2011

Padmanav Mishra

.....

Petitioner

Mr. K. Swain, Advocate

Vs.

State of Odisha and others

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

09.02.2022

Order No.

01

This matter is taken up through hybrid mode.

2. The petitioner has filed this writ petition seeking to quash the order under Annexure-7 and regularize his service in the post of Choukidar-cum-Sweeper which is available in the office of the DSO, Khurda.

3. In course of hearing, learned counsel for the petitioner states that the petitioner may be permitted to file a fresh representation before authority concerned highlighting the grievances and direction may be given to consider the same within a stipulated time, taking into consideration the ratio decided in the case of *Secretary State of Karnataka v. Umadevi (3)*, 2006(4) SCC 1, *State of Karnataka and others v. M.L.Keshari and others*, 2010(II) OLR (SC) 982, and *Amarkanti Rai v. State of Bihar and others*, (2015) 8 SCC 265, to which learned counsel for the State has no objection.

4. As agreed to by learned counsel for the parties, however, without expressing any opinion on the merits of the case, this writ petition stands disposed of with the direction that in case the petitioner, with regard to the grievance made in this petition, files a fresh comprehensive representation before the authority concerned, within fifteen days hence, the said authority shall consider the same and pass a reasoned and speaking order, taking into consideration the ratio decided in the case of

Umadevi (3), *M.L.Keshari* and *Amarkanti Rai* (supra), as expeditiously as possible, preferably within a period of three months from the date of receipt of such representation along with the certified copy of this order.

5. Issue urgent certified copy as per rules.

Arun

(DR. B.R. SARANGI, J)

