

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No.31137 of 2022**

***Sri Susanta Bisoi***

....

***Petitioner***

***Mr. M.P.K. Mohapatra, Advocate***

***-versus-***

***State of Odisha & others***

....

***Opp. Parties***

***Mr. A. Behera, ASC***

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**23.11.2022**

**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 before the Hon’ble Court to allow the Petition,*

    - (i) *Further be pleased to issue Writ of Mandamus or any other appropriate Writ(s)/direction(s)/order(s) to direct the O.P. No.4, the Executive Engineer, Phulbani (R&B) Division, Kandhamal to issue appointment order to the Petitioner as Peon under RA Scheme with all service and financial benefits.*
    - (ii) *Further be pleased to pass any other order(s)/direction(s) as deems 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 10.01.2022 before the Opposite Party No.4 under Annexure-7, 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.4 to consider the representation of the Petitioner dated 10.01.2022 under Annexure-7 taking into the law laid down by the Supreme Court in the case of ***Malaya Nanda Sethy vs. State of Orissa and others*** (Civil Appeal No.4103 of 2022) by passing a speaking and reasoned order within a period of three months from the date of production of certified copy of this 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**