

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.31289 of 2022

Banshidhar Parida

....

Petitioner

Mr. Avijit Pal, Advocate

-versus-

State of Odisha and another

....

Opp. Parties

Mr. B.Pr. Tripathy, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

05.12.2022

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. Perused the record.
 3. The present writ petition has been filed by the petitioner with the following prayers:

“It is, therefore, most humbly prayed that taking into consideration the aforesaid facts and circumstances of the case, this Hon’ble Court may graciously be pleased to issue Rule Nisi in the nature of writ of Mandamus/Certiorari calling upon the opp. Parties to show cause as to why the opp. parties, particularly, the opp. party no.2-Director of Mines, shall not be directed to revise the final gradation list dated 11.05.2017 in accordance with the judgment dated 29.06.2009 passed in O.A. No.204 of 2002 by the learned Administrative Tribunal and, accordingly, fix the seniority of the petitioner from “1.8.1980” and not from “14.12.1981” and to make the revised pay fixation nationally and grant the terminal benefits from the day he

superannuated in April, 2012 within a stipulated time

If the opp. parties fail to show cause and/or show insufficient or false cause, make the said Rule Nisi absolute;

And

Pass such other further order/orders as deems just and proper;”

4. It is submitted by learned counsel for the petitioner that although the petitioner has filed representation dated 07.11.2022 under Annexure-11 before the Director of Mines, Department of Steel and Mines, Government of Odisha, Bhubaneswar-Opposite Party No.2, 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 Director of Mines, Department of Steel and Mines, Government of Odisha, Bhubaneswar-Opposite Party No.2 to consider the representation of the petitioner in accordance with law within a stipulated period of time.

6. Considering the submissions made, the limited nature of grievance involved in the present writ petition, keeping in view the case of the petitioner, this Court disposes of the writ petition at the stage of admission with a direction Director of Mines, Department of Steel and Mines, Government of Odisha, Bhubaneswar-Opposite Party No.2 to consider the representation of the petitioner dated 07.11.2022 under Annexure-11 in accordance with law within a period of two months 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. With the aforesaid observation/direction, the writ petition is disposed of.

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

Jagabandhu

(A.K. Mohapatra)
Judge

