

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.31668 of 2022

Prita Kumar

.... ***Petitioner***
Mr. R. Achary, Advocate

-versus-

State of Odisha & another

.... ***Opp. Parties***
Mr. N.K. Praharaj, AGA

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

25.11.2022

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, most respectfully prayed that your Lordships may graciously be pleased to admit the Writ Petition;

And issue of an appropriate writ of like nature and Direction(s) or Order(s) to set aside the impugned order/communication vide DO No.176/SE dated 03.2.2022 for expunction of adverse remarks recorded in the PAR of the petitioner for the year 2017-18 (16.10.2017 to 31.03.2018) under Annexure-2 and subsequently communication vide DO No.1337/SE dated 06.06.2022 under Annexure-4 issued by the Opp. Party No.2 and direct the Opp. Parties to consider the representation dated 29.10.2022 under Annexure-6 submitted by the petitioner for expunction of adverse remarks recorded in the PAR of the petitioner for the year 2017-18 (16.10.2017 to 31.03.2018” so as to enable her to be considered for promotion to the post of OAS-I(SB).

And pass such other or further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case.

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation dated 29.10.2022 before the Opposite Party No.3 under Annexure-6, 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.3 to consider the representation of the Petitioner dated 29.10.2022 under Annexure-6 in accordance with law within a period of eight weeks 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. Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge