

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.31689 of 2022

Bijay Kumar Mishra

....

Petitioner

Mr.Nitish Kumar Mishra, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr.T.K.Patnaik, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

29.11.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel for the Petitioners and learned Additional Standing Counsel.

3. The Petitioners have filed the present writ application with the following prayer:

“ It is therefore prayed that this Hon’ble Court may be graciously pleased to admit this writ petition, issue notice of RULE NISI to the Opp.Parties in directing them for filing show cause and in case the Opp.Parties fail to file any show cause or show insufficient cause, the Rule may be made absolute by issue of appropriate writ in directing the Opp.Party authorities to regularize the previous service of the Petitioner rendered in the Rural Works Department;

And may pass other or further orders as may be deemed fit and proper in the circumstances of the case;

4. In course of hearing of the writ application, learned counsel for the Petitioner submits that the Petitioner ventilating his grievance has submitted representation before the Commissioner-cum-Secretary, Rural Works Department, Government of Odisha, Opposite Party No.1 on 28.04.2022 under Annexure-2. It is also submitted by the learned counsel for the Petitioner that the said representation is

pending as of now. It is also submitted by the learned counsel for the Petitioner that a direction be issued to the Opposite Party No.1 to consider the representation of the Petitioner under Annexure-2 within a stipulated period of time.

5. Learned Additional Standing Counsel submits that he has no objection if the representation of the Petitioner is considered by the Opposite Party No.1, which is stated to be pending, in accordance with law within a stipulated period of time.

6. Considering the limited nature of grievance of the Petitioner, the writ application is disposed of at the stage of admission with a direction to the Opposite Party no.1 to consider the representations of the Petitioner under Annexure-2 in accordance with law within a period of eight weeks from the date of production of certified copy of this order. The Opposite Party No.1 shall do well to dispose of the representation of the Petitioner under Annexure-2 by passing a speaking and reasoned order.

7. With the aforesaid observation, the writ application stands disposed of.

8. Issue urgent certified copy of this order as per Rules.

RKS

(A.K. Mohapatra)
Judge