

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.31906 of 2022

Manjulata Samal

.... Petitioner
Mr. S. Senapati, Advocate

-versus-

State of Odisha and others

.... Opposite Parties
Mr. T.K. Pattnaik, ASC

CORAM:
JUSTICE A.K. MOHAPATRA

ORDER

30.11.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. On being permitted, learned counsel for the Petitioner is permitted to make necessary correction in the cause title of the writ petition.
3. Heard learned counsel for the Petitioner as well as learned counsel for the State-Opposite Parties.
4. The present writ petition has been filed by the Petitioner with the following prayers:

“Direct the Opposite Parties to cancel the PDS retailership License of Opp. Party No.11 and 12 and pursuance to order dated 21.09.2019 under Annexure-1 issue fresh PDS retailership license in favour of the Opp. Party No.9 and 10 Women Self Help Group namely Gramadebati WSHG, Gagania, Nachhipur and Maa Basuli WSHG, Barapur under Rapeya G.P. of Khaira Block for distribution of Essential Commodities in Nachhipur, Gagania and Barapur areas under Rapeya G.P., by considering the representation dated 25.04.2022 under Annexure-4 and representation dated 08.09.2022 under Annexure-6, for the interest of justice.”

5. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation dated 08.09.2022 before the Opposite Party No.5 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.

6. 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.

7. 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.5 to consider and dispose of the representation of the Petitioner dated 08.09.2022 under Annexure-6 in accordance with law by passing a speaking and reasoned order within a period of six weeks from the date of production of certified copy of this order and the decision so taken thereon be communicated to the Petitioner within two weeks thereafter. Further it is directed that while considering the representation of the Petitioner, the Opposite Party No.5 be given opportunity of hearing to the Opposite Parties No.9, 10, 11 and 12.

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

(A.K. Mohapatra)
Judge