

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32064 of 2022

Antaryami Hota

....

Petitioner

Mr. Sarbeswar Behera, Advocate

-versus-

State of Odisha and another

....

Opp. Parties

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

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. 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:

“In the premises aforesaid it is prayed that this Hon’ble Court may kindly graciously be pleased to admit this Writ Petition, issue notice to the Opp. parties and after hearing this writ petition direct the Opp. Parties to regularize the service of the petitioner from 11.05.2002 to 30.05.2003.

And pass any other order(s), direction(s) as this Hon’ble Court may deems fit and proper.”

4. It is submitted by learned counsel for the petitioner that the impugned order dated 08.05.2002 under Annexure-1, which is the subject matter of dispute in the present case and the same is appealable one. In such view of the matter, learned counsel for the

petitioner seeks liberty to approach before the appellate authority- Opposite Party No.1 by filing an appropriate application for appeal. In such view of the matter, the petitioner is directed to approach the appellate authority by filing a proper constituted appeal memo and he further seeks a direction to the appellate authority to consider the same within a stipulated period of time.

5. Learned counsel for the State, on the other hand submits that he has no objection if permission is granted to the petitioner to file a fresh appeal memo before the appellate authority and the same shall be considered and disposed of in accordance with law.

6. Considering the aforesaid submission, limited nature of grievance of the petitioner, this Court disposes of the writ petition granting liberty to the petitioner to file a fresh appeal memo before the appellate authority ventilating his grievance within a period of two weeks. If such an appeal is filed within the time stipulated, the same shall be considered and disposed of by the said appellate authority in accordance with law within a period of three months thereafter. The decision so taken on the appeal of the petitioner shall be communicated within ten days thereafter.

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

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

(A.K. Mohapatra)
Judge