

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32065 of 2022

Prabhat Ranjan Barik

....

Petitioner

Dr. Jagabandhu Das, Advocate

-versus-

State of Odisha and others

....

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:

“It is therefore, prayed that this Hon’ble Court may graciously be pleased to admit this writ petition, issue a writ, direction, order to set aside the OREDA letter no.193/OREDA dated 05.09.2013 and the writ being in the nature of mandamus directing the Opp. Parties 1 to 3 to consider the representation dated 17.05.2022 under **Annexure-6** pending with them and to take such action as to:

- a. Consider the case of the Petitioner to have been covered by the decision of the Hon’ble Court in OJC No.2502/1993;
- b. Allow him the pay of Technician in the ratio decided in the above case by which his junior Opposite Party No.4 has availed the higher pay in order to make his pay equal with his junior in principle of ‘the senior shall not get less pay than

his junior' w.e.f. 18.08.2001;

- c. Pay the differential arrear salary after allowing the Petitioner the higher pay and consequential service benefits including periodical increments etc. as decided in the order of the Hon'ble High Court dated 12.03.2013 in W.P.(C) No.5240/2013 at the earliest."

And may further be pleased to pass any other order(s), as deemed fit and proper;

4. It is further submitted by learned counsel for the petitioner that although the petitioner has filed representation dated 17.05.2022 under Annexure-6 before the Odisha Renewal Energy Development Agency (OREDA), Mancheswar Industrial Estate, Mancheswar, 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 Odisha Renewal Energy Development Agency (OREDA), Mancheswar Industrial Estate, Mancheswar, 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 to the Odisha Renewal Energy Development Agency (OREDA), Mancheswar Industrial Estate, Mancheswar, Bhubaneswar-Opposite Party No.2 to consider the representation of the petitioner dated 17.05.2022 under Annexure-6 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

