

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32092 of 2022

Sushanta Mohapatra

....

Petitioner

Mr. S. Mohanty, Advocate

-versus-

State of Odisha & Others

....

Opp. Parties

Mr. T.K. Pattnaik, ASC

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

01.12.2022

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:

“Under such circumstances it is humbly prayed that this Hon’ble Court may kindly be pleased to admit this case and issue notice to the opposite parties to file their show cause as to why the case of the petitioner shall not be allowed and after hearing the parties the case of the petitioner be allowed and a direction be given to regularize the service period of the petitioner from 16.07.2016 to 14.07.2019 as duty pay and the arrear to that effect with interest be given to the petitioner by revising his scale of pay within a stipulated period.

And/or further direction be given to the opposite party No.1 to dispose of the representation of the petitioner vide Annexure-10 dated 11.03.2022 regarding to treat the service period from 16.07.2016 to 14.07.2019 as duty pay and arrear to that effect be paid

with interest within a stipulated period.

And/or pass any other order(s) which deems fit and proper for adjudication of the case.”

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation dated 11.03.2022 before the Opposite Party No.1 under Annexure-10, 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.1 to consider the representation of the Petitioner dated 11.03.2022 under Annexure-10 in accordance with law within a period of six 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