

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32255 of 2022

Prabodh Kumar Acharya ***Petitioner***
Mr. A. Tripathy, Advocate
-versus-
State of Odisha and others ***Opposite Parties***
Mr. T.K. Pattanaik, A.S.C.

CORAM:
JUSTICE A.K. MOHAPATRA

Order No.

ORDER
07.12.2022

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner and learned Additional Standing Counsel for the State. Perused the writ petition as well as documents annexed to the writ petition.
3. The present writ petition has been filed by the petitioner with a prayer to quash the order dated 08.12.2021 under Annexure-21 and further he has prayed for a direction to the Opposite Party No.3 to allow the petitioner to work in his office forthwith and pay his remuneration within time stipulated.
4. It is submitted by learned counsel for the petitioner that the petitioner was engaged as a legal consultant in the office of the

Opposite Party No.3 with the approval of the Government of Odisha on contractual basis. Initially, contract executed between the parties and thereafter the same was not extended. On being aggrieved by the office order of the Principal Chief Conservator of Forest (Wild Life) and Chief Wild Life Warden, Odisha, Bhubaneswar vide order dated 8th December, 2021 under Annexure-21 rejected by the Principal Chief Conservator of Forest (Wild Life) and Chief Wild Life Warden, Odisha, Bhubaneswar vide Office Order No.12526 /2WL-E-06-2016 dated 8th December, 2021. After expiry of contractual period, the petitioner is not discharging his duty as legal consultant since the office is no more required.

5. It is submitted by leaned counsel for the petitioner that the petitioner was appointed pursuant to the approval order issued by the Special Secretary, Forest and Environment Department, the PCCF(WILDLIFE) had only executed contract on behalf of the Government. Therefore, rejection of the representation of the petitioner by the PCCF(WILDLIFE)-Opposite Party No.3 illegal and erroneous. He further submits that the Opposite Party No.1 is the competent authority and he can take decision in the matter. Accordingly, the petitioner may be directed to file a fresh representation ventilating his grievance before the Opposite Party

No.1.

6. Learned counsel for the State, on the other hand, justifies the rejection order passed by the PCCF(WILDLIFE)-Opposite Party No.3 and submits that contract has been executed with the petitioner and not to take a decision to renew the contract of the petitioner and further, the order rejecting the petitioner's representation dated 8th December, 2021 is perfect, legal and valid. Therefore, learned counsel for the State submits that the petitioner has no case in the present writ application.

7. Considering the rival contentions advanced by the respective parties and further considering the limited nature of prayer of the petitioner, this Court disposes of the writ petition at the stage of admission with a direction to the petitioner to file a fresh representation highlighting his grievances along with copies of the relevant documents in support of his claim before the Principal Secretary to Government, Department of Forest and Environment, Bhubaneswar (Opposite Party No.1) within a period of two weeks from today. In the event such a representation is filed within the aforesaid period, the same shall be considered strictly in accordance with law within a period of six weeks from the date of receipt of the representation. The same shall be considered and disposed of by

passing a speaking and reasoned order within aforesaid time stipulated. Any decision taken on the same shall be communicated to the Petitioner within a period of two week thereafter.

8. With the aforesaid observation/direction, the writ petition is disposed of.

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

Jagabandhu

