

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32269 of 2022

Chinmay Kumar Mohanty

....

Petitioner

Mr. B.K. Pattnaik, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. T.K. Pattnaik, ASC

**CORAM:
JUSTICE A.K. MOHAPATRA**

ORDER

09.12.2022

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 Additional Standing Counsel appearing for the State-Opposite Parties.
 3. The present writ petition has been filed by the Petitioner with the following prayers:-

“Under the facts and circumstances of the case the petitioner fervently prays to the Hon’ble Court to be graciously pleased to admit the petition, call for the relevant records after hearing the counsel for the parties issue a writ of Mandamus commanding the Opposite Parties to give 12% compounded cumulative interest calculated for the period up to the date of actual payment of interest in order to compensate for the delay in the payment of all the above mentioned retirement benefits for meeting the ends of justice.

And issue such other writ, order or direction as will do complete justice to the petitioner.”

4. It is submitted by learned counsel for the Petitioner that

although the Petitioner has filed representation before the Opposite Party No.1 under Annexure-7 Series, 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 Additional Standing Counsel appearing for the State-Opposite Party 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 under Annexure-7 Series in view of the law laid down by the Hon'ble Supreme Court in the case of ***D.D. Tiwari(D) through Lrs. -v.- Uttar Haryana Bijli Bitaran Nigam, reported in (2014) 8 SCC 894*** 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. Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge