

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32312 of 2022

Pradyumna Kumar Parida ***Petitioner***

Mr. S.K. Swain, Advocate

-versus-

State of Odisha and others ***Opp. Parties***

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

07.12.2022

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. 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 kindly be graciously pleased to consider the aforesaid facts and circumstances, admit the writ petition, issue notice to the Opp. Parties and on hearing from both sides, be pleased;

- (i) to direct the Opp. Party No.1 & 2 to make sanction of commuted leave of petitioner for the period from 12.04.2021 to 31.07.2021, his duty pay for the period from 01.04.2021 to 31.07.2021;
- (ii) to direct the Opp.Party No.1 & 2 to sanction/release the unutilized leave salary

of petitioner within gratuity, regular pension and other pensionary dues;

- (iii) to direct the Opp. Party No.1 & 3 to accord permission to the petitioner to receive his all pension and pensionary dues along with unpaid service dues either from the District Treasury, Puri, (which is his Home District) or from Bhubaneswar or from the Directorate of Industries, Cuttack (Opp.Party No.2) by obtaining non-drawal certificate from the present station i.e. DIC, Koraput (Jeypore) for his convenience due to his affliction with various health problems in post-retirement period.

- (iv) and direct the Opp.Parties to complete all the exercises for redressal of the grievances of petitioner within a period to be specified by his Hon'ble Court in the interest of justice;"

4. It is submitted by learned counsel for the petitioner that although the petitioner has filed representation dated 26.11.2022 under Annexure-14 before the Principal Secretary, Department of Micro, Small & Medium Enterprises (MSME), Bhubaneswar- Opposite Party No.1, 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 Principal Secretary, Department of Micro, Small & Medium Enterprises (MSME), Bhubaneswar- Opposite Party No.1 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 Principal Secretary, Department of Micro, Small & Medium Enterprises (MSME), Bhubaneswar- Opposite Party No.1 to consider the representation of the petitioner dated 26.11.2022 under Annexure-14 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.

(A.K. Mohapatra)
Judge