

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32326 of 2022

Madhusudan Rath

.... Petitioner
Mr. S. Rath, 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 aforesaid facts and circumstances, it is therefore, prayed that this Hon’ble Court may graciously be pleased to:

- (i) *direct /order the Opposite Party No.2 to notionally fix the date of appointment of the Petitioner as 07.05.1997, the date on which the Opp. Parties No.4 and 5 have got appointed from the same Merit List as at Annexure-1, although the Petitioner was actually appointed on 11.03.2003 after succeeding in a series of litigation, for the purpose of retiral and pensionary benefits;*
- (ii) *pass such other order(s) or issue direction(s) as may be deemed fit and proper in the bona fide interest of justice.”*

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation before the Opposite Party No.2 under Annexure-4, 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.2 to consider the representation of the Petitioner under Annexure-4 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. Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge