

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32464 of 2022

Sri Sailendra Nath Mahanta

....

Petitioner

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

“The petitioner therefore prays that your lordships may graciously be pleased to direct the Opp. Parties to consider the representation under Annexure-2 within a stipulated time.

And pass such order/directions as this Hon’ble Court may deem fit and proper.”

4. In course of hearing of the writ application, learned counsel for the Petitioner submits that the Petitioner ventilating his grievance has submitted representation before the Secretary to Government of Odisha, Steel & Mines Department, Opposite Party No.2 under Annexure-2. It is also submitted by the learned counsel for the

Petitioner that the said representation is pending as of now. It is also submitted by the learned counsel for the Petitioner that a direction be issued to the Opposite Party No.2 to consider the representation of the Petitioner under Annexure-2 within a stipulated period of time.

5. Learned Additional Standing Counsel appearing for the State- Opposite Parties vehemently opposes the submission made by the learned counsel for the Petitioner by saying that the Petitioner being an employee under the Government cannot challenge a policy decision of his employer, i.e., the Government, which has been taken by the authority for effective functioning of such departments.

6. Considering the limited nature of grievance of the Petitioner and without expressing any opinion on the merit of the matter, the writ petition is disposed of at the stage of admission with a direction to the Opposite Party No.2 to consider and dispose of the representation of the Petitioner under Annexure-2, if the same is pending, in accordance with law within a period of eight weeks from the date of production of certified copy of this order. The Opposite Party No.2 shall do well to dispose of the representation of the Petitioner under Annexure-2 by passing a speaking and reasoned order. It is open for the Opposite Party No.2. to take a decision in consultation with Opposite Party No.1, 3 & 5.

7. With the aforesaid observation, the writ application stands disposed of.

8. Issue urgent certified copy after removal of defects.

(A.K. Mohapatra)
Judge