

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32524 of 2022

Barun @ Baruna Behera **Petitioner**
Mr. M.K. Balasamanta, Advocate
-versus-

State of Odisha and others **Opposite Parties**
Mr. Arnav Behera, 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:-

“It is therefore humbly prayed that, under the above circumstances your Lordships shall be graciously pleased to issue Rule NISI calling upon the Opposite Parties to show cause and if the Opposite Parties fail to file show cause or file insufficient cause on perusal of causes shown make the said Rule absolute and further be pleased to issue a writ of Mandamus or any other appropriate writ or order directing the Opp. Parties to regularize the petitioner’s service within a stipulated period.

And/or pass such other order/orders, writ/writs, direction/directions as deem fit ad proper in the facts and circumstances of the

case.”

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation before the Opposite Party No.5 under Annexure-4 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.5 to consider the representation of the Petitioner under Annexure-4 Series 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 keeping in view the law laid down by the Hon'ble Supreme Court in the cases of *Secretary, State of Karnataka -v.- Uma Devi, reported in (2006) 4 SCC 1* and *State of Karnataka -v.- M.L. Kesari, reported in (2010) 9 SCC 247* as well as by this Court in case of *Basanta Kumar Barik - v.- State of Odisha and others* (WPC(OA) No.616 of 2017 decided on 26.11.2021). 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

Debasis

