

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32715 of 2022

Manas Kumar Mallick

.... Petitioner

Mr. T. Barik, Advocate

-versus-

State of Odisha & Others

.... Opp. Parties

Mr. P.K. Rout, AGA

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

05.12.2022

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-Opposite Parties.
3. The present writ petition has been filed by the Petitioner with the following prayers:

“Under the above facts and circumstances of the case, it is therefore prayed that for the interest of justice this Hon’ble court would be graciously pleased to issue a writ in the nature of mandamus directing the Opp. Parties especially Opp. Party No.3 & 4 to engaged the petitioner as Pump Operator in addition to SEM post of Pump House of Habaleswar G.P. under Hatadihi Block following the Govt. guidelines of Jaladhara Scheme as at Annexure-2 to 8 and to pay present dues @ Rs.2000/- per month as attached to each SEM-cum-Pump Operator.

And further direction may kindly issued to Opp. Party No.3 to 6 to pay the arrear dues @ Rs.2000/- for working as SEM for the period from January, 2017 to September, 2021 in favour of the petitioner.

And any other relief(s) which your lordships deem just and proper.”

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation dated 26.11.2021 before the

Opposite Party No.5 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 counsel for the State 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 dated 26.11.2021 under Annexure-7 Series keeping in view the Annexures-2 to 6 in accordance with law within a period of eight weeks 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