

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.33539 of 2022

Sabyashachi Dutta

....

Petitioner

Mr. B.S. Tripathy-1, Advocate

-versus-

State of Odisha and another

....

Opp. Parties

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

12.12.2022

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, humbly prayed that this Hon’ble Court be pleased to;

i) quash the impugned communication i.e., DO No.2114 dt.21.11.2022 under Annexure-2 by holding the impugned adverse entries made in the PAR of the petitioner for the period from 08.08.2018 to 31.03.2019 are not only bad and illegal in law, but also contrary to the GA Dept. guideline dt.26.04.2006 under Annexure-4;

ii) and pass such other order(s) as deemed fit and proper in the bonafide interest of justice”

5. It is submitted by learned counsel for the petitioner that

although the petitioner has filed representation dated 06.12.2022 under Annexure-6 before the Principal Secretary to Government of Odisha, General Administration and Public Grievance Department- 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.

6. Learned counsel for the State submits that he has no objection, if a direction is given to the Principal Secretary to Government of Odisha, General Administration and Public Grievance Department- Opposite Party No.1 to consider the representation of the petitioner in accordance with law within a stipulated period of time.

7. 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 to the petitioner to approach before the Opposite Party No.1 along with certified copy of this order within ten days from today. Thereafter, the Principal Secretary to Government of Odisha, General Administration and Public Grievance Department- Opposite Party No.1 shall consider the representation of the petitioner dated 06.12.2022 under Annexure-5 in accordance with law within a period of two weeks from the date of production of certified copy of this order, keeping in view the fact that the identical remarks in respect of the similarly placed employees have already been expunged by the Government. Further, a direction is given to the said opposite party that till a decision is taken on the representation of the petitioner, D.P.C. shall not be held.

8. With the aforesaid observation/direction, the writ petition is

disposed of.

Urgent certified copy of this order be granted on proper application.

A free copy of this order be handed over to the learned counsel for the State for communication and compliance.

(*A.K. Mohapatra*)
Judge

Jagabandhu

