

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.33640 of 2022

Dr. Chandi Prasad Das

....

Petitioner

Mr. N. Rath, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

13.12.2022

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, most humbly prayed that this Hon’ble Court may be pleased to Admit the writ application, issue rule *Nisi* calling upon the opp.parties to show cause as to why the prayers made hereunder be not allowed, Upon showing insufficient cause/no cause make the said Rule absolute, Issue writ/writs in the nature of:

- i. Mandamus directing Opposite Parties to fix the pay of the petitioner toward 2nd RACP and 3rd MCP benefits in pursuance of office order dtd.14.12.2020 under Annexure-17 and disburse the arrear financial benefits within the time stipulated by this Hon’ble Court keeping in view the fact that the petitioner already retired from service w.e.f. 31.1.2021.
- ii. And/or may pass such other writ/writs, order/orders, direction/directions as this Hon’ble

Court may think fit and proper for the ends of justice;”

4. It is submitted by learned counsel for the petitioner that although the petitioner has filed representation dated 08.09.2021 under Annexure-19 before the Opposite Parties, the same is still pending before the said Opposite parties and the said Opposite Parties have not taken any decision on the same. It is further submitted by learned counsel for the petitioner that similarly situated persons have been extended such benefits and the case of the petitioner has not been considered as of now.

6. Considering the submissions made, the limited nature of grievance of the petitioner, this Court disposes of the writ petition at the stage of admission with a direction to the Opposite Parties to consider the representation of the petitioner dated 08.09.2021 under Annexure-19 taking into account under Annexures-16 and 17 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. With the aforesaid observation/direction, the writ petition is disposed of.

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

(A.K. Mohapatra)
Judge