

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.33681 of 2022

Premananda Muduli

.... Petitioner
Mr. B.B.Swain, Advocate

-versus-

State of Odisha and others

.... Opposite Parties
Mr. B.P.Tripathy, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

23.12.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Additional Government Advocate.
3. The Petitioner has filed this writ petition with the following prayer :

“Therefore, the Petitioner most humbly prays that this hon’ble Court may graciously be pleased to issue Rule NISI calling upon the Opp.Paties to show cause as to why:

- i) The Opp.Party No.2 shall not be directed to bring the Petitioner to H.R. Fold from June, 2004 when his juniors were brought to H.R. Fold.
- ii) The Opp.Party No.2 shall not be directed to pay the arrear and present salary attached to the H.R. staffs since June, 2004 till date.

And if the Opposite parties fail to show cause or show insufficient cause the Rule shall be made absolute;

And pass any other order/orders, direction/directions as may be deemed just and proper;”

4. In course of hearing, learned counsel for the Petitioner submits that the Petitioner may be granted liberty to file a fresh representation ventilating his grievance before the Superintending Engineer, P.H.Division-1, At.Chhatrabazar, Canal Road, Cuttack, Opposite Party No.2 which may be considered within a stipulated period of time in accordance with law.

5. Learned Additional Government Advocate for the State on the other hand submits that he has no objection if liberty is granted to the Petitioner to file a fresh representation before the Opposite Party No.2 and the same is considered and disposed of in accordance with law.

6. In view of the aforesaid limited nature of grievance of the petitioner, this Court disposes of the writ petition granting liberty to the Petitioner to file a fresh representation before the Superintending Engineer, P.H.Division-1, At.Chhatrabazar, Canal Road, Cuttack, Opposite Party No.2 ventilating his grievance within a period of two weeks. If such a representation is filed within the time stipulated, the same shall be considered and disposed of by the said Opposite Party No.2 in accordance with law within a period of eight weeks from the date of filing representation and the decision so taken on the representation of the petitioner shall be communicated within two weeks thereafter.

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

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

(A.K. Mohapatra)
Judge

