

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.33695 of 2022

Bhagaban Bej

....

Petitioner

Mr. P.C. Mishra, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. N.K. Praharaj, A.G.A.

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 prayed that for the interest of justice and equity your Lordship may kindly be graciously pleased to issue Rule NISI, calling the Opposite Parties No.3 to show cause as to why they have kept the pending petitioner’s O.R.S.P. and Higher Scale of pay under Annexure-7 series and other medical, T.A. Bill, D.A. Increments H.R.A. service books regularize and seniority.

If they failed to show cause or so insufficient cause the rule may kindly be made absolute.

And hence the Petitioner prayed of the following reliefs;

(i) Orissa revised scale of Pay.

- (ii) Higher Scale pay
- (iii) Service book regularize
- (iv) House rent allowances
- (v) T.A. Bills
- (vi) Medical Bills
- (vii) Increments

And may pass any other/orders, as this Hon'ble Court deems just, fit and equitable;"

4. It is submitted by learned counsel for the petitioner that although the petitioner has filed representation under Annexures-7, 8, 9 and 10 before the Executive Engineer, Rural Works Division, Kendrapara-Opposite Party No.4, 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 Executive Engineer, Rural Works Division, Kendrapara-Opposite Party Nos.3 and 4 to consider the representation of the petitioner in accordance with law within a stipulated period of time.

6. 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 Executive Engineer, Rural Works Division, Kendrapara-Opposite Party Nos.3 and 4 to consider the representation of the petitioner under Annexures-7, 8, 9 and 10 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. It is open for the petitioner to approach the authorities for release of his current salary and in the event a prayer is made by the petitioner, the opposite parties are directed to release the current salary forthwith, if the petitioner is eligible for the same, in accordance with law.

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

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

Jagabandhu

