

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.33789 of 2022

Ajaya Kumar Dash

....

Petitioner

Mr. P.K. Mohapatra, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. N.K. Praharaj, AGA

**CORAM:
JUSTICE A.K. MOHAPATRA**

ORDER

14.12.2022

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 Additional Government Advocate appearing for the State-Opposite Parties.
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 may graciously be pleased to:-

- i) *Direct the opp. Parties to release the arrear salary for the period from May to August, 2022 and increment arrear pay for the period from 1.3.2019 to 31.08.2022 and House Rent arrears for the period from 1.7.2019 to 31.8.2022 in favour of the petitioner forthwith as per the bills and calculation sheet vide Annexure-5 within a stipulated period, otherwise liable for interest @ 12% per annum for such inordinate intentional delay in view of the decisions vide Annexure-7.*
- ii) *Pass such other order(s)/direction(s) as would be deem fit and proper in the bona fide interest of justice.”*

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation before the Opposite Party No.3 under Annexure-6, 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 Additional Government Advocate appearing for the State-Opposite Parties 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.3 to consider the representation of the Petitioner under Annexure-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. It is open for the Petitioner to seek an opportunity of hearing and in the event an opportunity of personal hearing is sought for, the same shall be granted. It is also open for the Petitioner to cite judgments he relied upon in support of his contention. The Opposite Party No.3 is directed that while considering the representation of the Petitioner shall take into consideration the documents as well as the judgments relied upon by the Petitioner.

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

(*A.K. Mohapatra*)
Judge

Debasis

