

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.33798 of 2022

Jitendra Kumar Nayak and others ***Petitioners***
Mr. S.K. Panda, Advocate
-versus-
The State of Odisha and others ***Opposite 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 petitioners as well as learned counsel for the State. Perused the record as well as documents annexed to the writ petition.
3. The petitioners have filed this writ petition with the following prayer :

“Therefore it is prayed that the Honourable court be pleased enough to admit the writ application and issue notice to the Opposite Party and after hearing the parties to quash the order dtd.0311.2020 and further direction may be issued to the Opposite Party to extend the benefits of RACP in the 1st Stage to the MPH(W)(Male) as early as possible as per the provision ORSP Rules 2008 and the Finance Department Resolution dtd.06.02.2013,
And

May direct to the Opposite parties to pay the highest scale under the MACP Scheme for the interest of justice

Or, may

Pass a order of direction to consider the representation which is pending since long before the Opposite Party No.4.

And

May pass any other order/orders direction/directions as this Honourable court may deem fit and proper.”

4. It is further submitted by learned counsel for the petitioners that although the petitioner has filed representation dated 12.09.2022 under Annexure-9 before the Director of Public Health Department, Bhubaneswar-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. Considering the submissions made, the limited nature of grievance involved in the present writ petition, keeping in view the case of the petitioners, this Court disposes of the writ petition at the stage of admission with a direction to the Director of Public Health Department, Bhubaneswar-Opposite Party No.4 to consider the representation of the petitioner dated 12.09.2022 under Annexure-9 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 petitioners 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 petitioners within a period of two weeks thereafter.

6. 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