

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.33889 of 2022

Kanchan Naik @ Nayak

....

Petitioner

Mr. R.N. Behera, Advocate

-versus-

Govt. of Odisha and others

....

Opposite Parties

Mr. P.K. Rout, AGA

**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 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, prayed that this Hon’ble Court be graciously pleased to issue Rule NISI calling upon the Opp. Parties as to why the Opp. Parties shall not be directed to dispose of the representations under Annexure-3 Series of the petitioner for release of death-cum-Retirement benefits immediately and in the event the Opp. Parties fail to show cause or shows insufficient cause make the rule NISI absolute and allow the writ petition with costs;

And may further be pleased to pass any other order/orders, direction/directions, as deem fit and proper under the facts and circumstances of the case.”

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation before the Opposite Party No.1 under Annexure-3 Series, 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 Standing Counsel appearing for the State-Opposite Party 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.1 to consider the representation of the Petitioner under Annexure-3 Series 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. Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge