

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 40023 of 2021

**Harishankar Dibyaranjan
Amardeep**

....

Petitioner

Mr. Achyutananda Pattanaik, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. S.S.Kanungo,

Additional Government Advocate

CORAM:

JUSTICE BISWAJIT MOHANTY

JUSTICE K.R.MOHAPATRA

ORDER

02.02.2022

Order No.

1.

This matter is taken up through Video Conferencing Mode.

2. Heard Mr. Pattanaik, learned counsel for the Petitioner and Mr. Kanungo, learned Additional Government Advocate.

3. According to Mr. Pattanaik, the Petitioner has executed "Construction of Multipurpose Cyclone Shelter at Singarama under Tangi Block of Khordha District for the Package No.NCRMP/OD/KHD/CS/07(C), vide agreement No.10 W2 of 2015-16". During execution of the above noted work, the Government enhanced the minimum wages of workers. Accordingly, the Petitioner paid enhanced wages. According to him, the Petitioner is entitled to get differential cost of enhanced minimum wage. In this context, he relies upon a decision of this Court rendered in the case of Mahesh Prasad Mishra Vs. State of Odisha and others, reported in 2012 (Supp.-I) OLR 1035. He further submits that though highlighting his grievances, the Petitioner has filed a representation on 20th February, 2021 under Annexure-4 before the Principal Secretary to Government of Odisha, Department of Rural Development, Bhubaneswar (OP No.1), however till date no decision has been taken on the same. In such background, he prays for a direction to Opposite Party

No.1 to take a decision on the above noted representation within a specified time.

4. Considering such submissions, this Court without expressing any opinion on the merits of the case, directs Opposite Party No.1- Principal Secretary to Government of Odisha, Department of Rural Development, Bhubaneswar to take a decision on the above noted representation of the Petitioner in accordance with law within a period of two months from the date of receipt of a copy of this order and communicate result of such exercise to the Petitioner.

5. With the aforesaid direction, the writ petition is disposed of.

6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a printout of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed vide Court's Notice No.4587 dated 25th March, 2020, modified by Notice No.4798 dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(Biswajit Mohanty)
Judge

(K.R. Mohapatra)
Judge