

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.34234 of 2022

Ramakanta Praharaj

....

Petitioner

Mr. P.K. Behera, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. B.P. Tripathy, AGA

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

**ORDER
19.12.2022**

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-Opposite Parties.
3. The present writ petition has been filed by the Petitioner with the following prayers:-

“The petitioner therefore prays that your Lordships may graciously be pleased to:-

- i) *Direct the opp. parties to notionally regularize the service of the petitioner from without monetary benefit from his initial date of appointment under J.C. establishment till absorption and extend the monetary benefit to be paid from the date of actual absorption in regular cadre and the period from his initial date of appointment 14.3.1988 under J.C. establishment be taken for continuity of service, seniority and pension and pensionary benefits in view of Govt. decision dt. 26.12.2016 and in the light of the decision of the Hon’ble Supreme Court in the case of Amarkant Rai vrs. State of Bihar & others, reported in (2015) 5 SC 265 and O.A. No.1495(c)/1999, which has been affirmed by this Hon’ble Court in W.P.(C) No.25159 of 2017;*

ii) Pass such other orders/directions as may be deemed 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.1 under Annexure-7, 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 counsel for the State 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-7 taking into consideration the Annexures-4, 5 & 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. Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge