

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 34900 of 2022

Somanath Rout

.....

Petitioner

Ms. P. Rath, Adv.

Vs.

State of Odisha and others

.....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

22.12.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Ms. P. Rath, learned counsel for the petitioner and Mr. H.M. Dhal, learned Addl. Government Advocate appearing for the State-opposite parties.

3. This is the second journey of the petitioner to this Court. Earlier, the petitioner had approached this Court by filing W.P.(C) No. 27393 of 2022, which was disposed of vide order dated 21.10.2022, directing the Director, Odia Language, Literature and Culture Department to consider the representation of the petitioner within a period of one month from the date of submission/presentation of the certified copy of the order. In pursuance of the said order, the order impugned in Annexure-14 dated 28.11.2022 has been passed, by which the Director observed as follows:-

“And whereas the Committee is of the opinion that bereft of his signature in the Attendance Register, release of his held up salary since March, 2022 could be considered, if the petitioner submits the Attendance Register of the students since March, 2022 in support of his teaching.”

4. From the above observation made by the Director, it is made clear that on the allegation of non-production of attendance

register of the students since March, 2022 in support of his teaching, the petitioner has not been paid his salary. But fact remains, the petitioner has taken class and also in support of that he has put his signature. As such, learned counsel for the petitioner states that the petitioner may be permitted to place the attendance register of the students in support of his teaching since March, 2022 before the Director, so that the same can be considered and salary of the petitioner be released in his favour.

5. In such view of the matter, this writ petition stands disposed of permitting the petitioner to place the attendance register of the students in support of his teaching since March, 2022 before the Director and Addl. Secretary to Government, Odia Language, Literature and Culture Department, who shall examine the attendance register produced by the petitioner in support of his teaching that he has taken class and if prima facie the Director satisfies that the petitioner has taken class, then in that case, salary as due and admissible to the petitioner shall be released in his favour as expeditiously as possible, preferably within a period of two months from the date of production of certified copy of this order.

Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

Ashok