

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 40964 of 2021

<i>Pramod Kumar Choudhury</i>		<i>Petitioner</i>
		Mr. B.R. Barik, Advocate
	<u>Vs.</u>	
<i>Union of India and others</i>		<i>Opposite parties</i>

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

27.01.2022

Order No.

01

This matter is taken up by video conferencing mode.

2. The petitioner has filed this writ petition seeking direction to the opposite parties to count the period of service rendered by the petitioner as 'Sikshya Karmi' w.e.f. 09.11.1991 to 31.01.1994 as qualifying service for the purpose of retirement benefits and differential amount be calculated and paid to the petitioner within a stipulated time.

3. In course of hearing, learned counsel for the petitioner states that the petitioner has already made representation before opposite party no.1 vide Annexure-6, and the same may be directed to be disposed of within a stipulated time taking into consideration the judgments of this Court in the cases of *Birendra Kumar Roy v. M.D. Orissa State Cooperative Bank Ltd.*, 2006 (I) OLR 161, *Jayanta Kumar Maitra v. State of Orissa*, 2003 (Supp.) OLR 623; and of the apex Court in the case of *Prem Singh v. State of Uttar Pradesh*, (2019) 10 SCC 516, within a stipulated time.

4. Considering the facts and circumstances of this case,

but, however, without expressing any opinion on the merits of the case, this writ petition stands disposed of directing opposite party no.1 to consider the representation filed by the petitioner under Annexure-6 taking into consideration the judgments of this Court in the cases of *Birendra Kumar Roy v. M.D. Orissa State Cooperative Bank Ltd.*, 2006 (I) OLR 161, *Jayanta Kumar Maitra v. State of Orissa*, 2003 (Supp.) OLR 623; and of the apex Court in the case of *Prem Singh v. State of Uttar Pradesh*, (2019) 10 SCC 516, and pass a reasoned and speaking order as expeditiously as possible, preferably within a period of three months from the date of receipt of the certified/authenticated copy of this order.

As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a print out 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, as modified by Court's notice no. 4798 dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

Arun

(DR. B.R. SARANGI)
JUDGE