

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.35039 of 2022

Utshab Naik

....

Petitioner

Mr.Pramoda Kumar Dash, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. T.K.Patnaik, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

22.12.2022

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Additional Standing Counsel.
3. The Petitioner has filed the present writ application with the following prayer:

“ It is therefore, prayed that Your Lordships’ be graciously pleased to admit the writ petition, issue rule nisi in the nature of appropriate writ or any other writ(s) as deem fit and proper calling upon the Opp.Parties to show cause as to why the prayer made hereunder be not allowed and if no / insufficient cause is shown, the said rule be made absolute by issuing writ(s) in the nature of;

The Opp.Parties be directed for grant the Grade Pay of Rs.6600/- in place of Rs.5400/- at the stage of 3rd financial up-gradation on completion of 30 years of service w.e.f. 01.01.2013 in favour of the Petitioner by modifying the earlier order dated 04.12.2015 at Annexure-5 taking into account the order at Annexue-6 being attached to the Grade Pay of his promotional post of Deputy Registrar, Cooperative Societies as per the provisions of ORSP Rules, 2008 read with the Finance Deptt. Resolution dated 06.02.2013 along with all other consequential service and financial benefits including

pension at an early date.

And further be pleased to pass such other writ(s)/order(s) as may deem just and proper; “

4. In course of hearing of the writ application, learned counsel for the Petitioner submits that the Petitioner ventilating his grievance has submitted representation before the Secretary to Government of Odisha, Co-operation Department, Opposite Party No.1 under Annexure-9. It is also submitted by the learned counsel for the Petitioner that the said representation is pending as of now. It is also submitted by the learned counsel for the Petitioner that a direction be issued to the Opposite Party No.1 to consider the representation of the Petitioner under Annexure-9 within a stipulated period of time.
5. Learned Additional Standing Counsel submits that he has no objection if the representation of the Petitioner is considered by the Opposite Party No.1, which is stated to be pending, in accordance with law within a stipulated period of time.
6. Considering the limited nature of grievance of the Petitioner, the writ application is disposed of at the stage of admission with a direction to the Opposite Party no.1 to consider the representation of the Petitioner under Annexure-9 in accordance with law taking into consideration Annexure-6 within a period of eight weeks from the date of production of certified copy of this order. The Opposite Party No.1 shall do well to dispose of the representation of the Petitioner under Annexure-9 by passing a speaking and reasoned order.
7. With the aforesaid observation, the writ application stands disposed of.
8. Issue urgent certified copy of this order as per Rules.

Judge

