

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.35086 of 2022

Kartika Behera

....

Petitioner

Mr. Gopinath Panda, 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:

“ Under the above stated facts and circumstances, it is therefore humbly prayed that this Hon’ble Court would be graciously pleased to:-

 - i) Direct the Opp.Party No.3 to forthwith consider for payment of gratuity under the principle of Payment of Gratuity Act, 1972 in view of order of Hon’ble Apex Court in the case of Netram Sahu-v.- State of Chhatisgarh and in accordance with the order of the Govt. dated 14.12.2017 under Annexure-2 along with interest as has been extended to Sakha Bhoi, similar situated employee in same manner being one homogenous class.
 - ii) And pass such other order(s)/direction(s) as this Hon’ble Court may deem fit and proper for the ends of justice.”
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 Deputy Director, Nandankanan Zoological Park, Barang, Opposite Party No.3 on 14.08.2022 under Annexure-4. 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.3 to consider the representation of the Petitioner under Annexure-4 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.3, 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.3 to consider the representation of the Petitioner under Annexure-4 in accordance with law within a period of eight weeks from the date of production of certified copy of this order. The Opposite Party No.3 shall do well to dispose of the representation of the Petitioner under Annexure-4 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.