

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.35137 of 2022

Bishnu Charan Mohanty ***Petitioner***
Mr.Subrat Ku.Kar, Advocate
-versus-
State of Odisha and another ***Opposite Parties***
Mr. B.P.Tripathy, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

23.12.2022

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 Government Advocate.
3. The Petitioner has filed the present writ application with the following prayer:

“ The Petitioner therefore prays that Your Lordship would graciously be pleased to admit this petition, call for the records and after hearing all the parties appropriate direction may be given to the O.p.No.2 to provide the Petitioner 40% back wages by complying the order of the Labour Court, Bhubaneswar, passed in I.D.Case no.07 of 1998 which is under Annexure-1, along with retrenchment compensation which was fixed worth Rs.40,796/- along with interest as it has not been paid to him after the winding of the OTM which is under Annexure-2 by issuing Writ/Writs in the nature of Mandamus in the greater interest of justice.

And further prays that this Hon'ble Court would give appropriate direction to the OP No.2 to provide all the benefits to the Petitioner which were given to others as per CRS and VRS rule regarding the payment has been disbursed to the employees on calculation basis i.e. 42 month salary and interest till 2013 which has not been paid to the present Ptitioner in the greater interest of justice.

And further be pleased to pass appropriate direction to the OP No.2 to consider the representation made by the

Petitioner under Annexure-7 in the greater interest of justice.

And pass any other order(s), direction(s) as this Hon'ble Court may deem fit 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 Official Liquidator, Orissa High Court, Opposite Party No.2 under Annexure-7. 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.2 to consider the representation of the Petitioner under Annexure-7 within a stipulated period of time.

5. Learned Additional Government Advocate submits that he has no objection if the representation of the Petitioner is considered by the Opposite Party No.2, 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.2 to consider the representation of the Petitioner under Annexure-7 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.2 shall do well to dispose of the representation of the Petitioner under Annexure-7 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.

