

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.35224 of 2022

Balakrushna Behera and others ***Petitioners***
Mr. Prasanna Kumar Sahoo, 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 Petitioners and learned Additional Government Advocate.
3. The Petitioners have filed the present writ application with the following prayer:

“ In view of the aforesaid facts and circumstances of the case, this Hon’ble Court may graciously be pleased to;

- i) To admit the writ petitioner;
 - ii) To direct the Opp.Parties to release the salary/wages of the Petitioner w.e.f. January, 2021 onwards as per the Govt. in Labour & E.S.I. Department guidelines issued from time to time;
 - iii) To direct the Opp.Parties to release the arrear salary amounting to Rs.89,000/- of each Petitioner;
 - iv) Pass such order/orders as deem fit and proper in the interest of justice;
4. In course of hearing of the writ application, learned counsel for the Petitioner submits that the Petitioner ventilating their grievance

have submitted representation before the Chief District Medical & Public Health Officer, Puri, Opposite Party No.3 under Annexure-6. It is also submitted by the learned counsel for the Petitioners that the said representation is pending as of now. It is also submitted by the learned counsel for the Petitioners that a direction be issued to the Opposite Party No.3 to consider the representation of the Petitioners under Annexure-6 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.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-6 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-6 by passing a speaking and reasoned order. In the event it is found that Petitioners are covered by the orders passed by the Tribunal, their contractual salary due and admissible be calculated and paid. It is made clear that in the event the Petitioners are continuing in service then they shall be paid their current salary forthwith.

7. With the aforesaid observation, the writ application stands disposed of.

8. Issue urgent certified copy of this order as per Rules.

