

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.35230 of 2022

Surendra Nath Mohanty ***Petitioner***
Mr.Prafulla Ku. Mohapatra, Advocate

-versus-

State of Odisha and others ***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:

“ Under the aforesaid facts and circumstances of the case, it is therefore, prayed that this Hon’ble Court may graciously be pleased to :

- i) Direct the Opp.Parties to sanction the retirement benefits of the Petitioner i.e.Unutilised Leave Salary, Gratuity and other allowances and revised pay as per 7th Pay Commission w.e.f. 01.01.2016, as has been given to similarly situated persons vide Annexure-4 in terms of the Resolution dated 08.07.1982 and Letter dated 27.12.2018 and further direct the Opp.Party No.1 to take a decision on the proposal dated 28.09.2015 vide Annexure-12 for grant of pension as has been given to the employees of Talcher, Angul, Meramundali Development Authority, Angul;
- ii) Pass such other order(s)/direction(s) as may be deemed fit and proper in the bona fide interest 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 Principal Secretary, Housing & Urban Development Department, Odisha, Bhubaneswar, Opposite Party No.1 under Annexure-13. 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-13 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.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-13 in accordance with law taking into consideration Annexures-5 & 12 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-13 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.

