

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 41316 of 2021

Khageswar Barik

.....

Petitioner

Mr. Agasti Kanungo, Adv

Vs.

State of Odisha & Ors.

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

31.01.2022

Order No.

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This matter is taken up through hybrid mode.

2. Heard Mr. Agasti Kanungo, learned counsel for the petitioner.
3. The petitioner has filed this writ petition seeking direction to the opposite parties to grant benefits of different up-gradations to the petitioner under the MACP Scheme, keeping in view the judgment dated 27.06.2016 passed by this Court in W.P.(C) No.2831 of 2016 (*State of Odisha and another v. Bihari Lal and others*).
4. In course of hearing, Mr. D.K. Sahoo, learned counsel for the petitioner states that the petitioner may be permitted to move a fresh representation highlighting his grievances before the authority so that the same can be considered in the light of the ratio decided by this Court in *Bihari Lal* (supra).
5. Considering the limited nature of grievance of the petitioner, this Court directs the petitioner to file a fresh representation within a period of fifteen days from today ventilating grievances before the authority. In the event the petitioner files such representation along with the judgment passed by this Court in *Bihari Lal* (supra), the authority shall consider and pass appropriate order taking into

consideration the ratio decided in ***Bihari Lal*** (supra) within a period of two months thereafter.

6. With the aforesaid observation and direction, the writ petition is disposed of.

As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed, vide Court's Notice No.4587 dated 25th March, 2020, as modified by Court's notice no. 4798 dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

Alok

(DR. B.R. SARANGI)
JUDGE

