

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.35428 of 2022

Narahari Das & others

.... Petitioners
Mr.P.K.Nanda, Advocate

-versus-

State of Odisha and others

.... Opposite Parties
Mr.T.K.Patnaik, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

21.12.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners as well as learned Standing Counsel for School & Mass Education Department.
3. The Petitioners have filed the present writ application with the following prayer:

“ It is therefore, prayed that this Hon’ble Court may graciously be pleased to issue Rule Nisi calling upon the Opp.Parties to show cause as to why a writ in the nature of mandamus or any appropriate writ(s) shall not be issued to direct the Opp.Parties to pay/disburse the arrear salary extending all financial benefits taking into account the date as 01.03.2009 as per the Notification as regard to bring over them in the work charged establishment of Government along with interest and legitimate increments treating them to have been brought over to work charged establishment from the date his juniors have been posted in the work charged establishment by opening the service book and on perusal of causes shown or any insufficient causes shown make the said rule absolute and may pass any order(s) as deem fit and proper.”

4. In course of hearing of the writ application, learned counsel for the Petitioner submits that the Petitioners ventilating his grievance

have submitted representation before the Executive Engineer, Mayurbhanj Irrigation Division, Baripada, Opposite Party No.5 under Annexure-3. 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.5 to consider the representation of the Petitioners under Annexure-3 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.5 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.5 to consider the representation of the Petitioners under Annexure-3 in accordance with law within a period of six weeks from the date of production of certified copy of this order. The Opposite Party No.5 shall do well to dispose of the representation of the Petitioner under Annexure-3 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.

RKS

(A.K. Mohapatra)
Judge