

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.41404 of 2021

Kirti Chandra Palai

....

Petitioner

Mr.Gopinath Sethi, Advocate.

-versus-

State of Odisha & another

....

Opp. Parties

Mr. B.Mohanty, Advocate

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

04.01.2022

Order No.

01. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. The present writ petition has been filed by the Petitioner for a direction to the Opposite Party No.2, i.e., the Director, Higher Secondary Education to sanction, release and disburse the legitimate revised differential arrear dues of the Petitioner for the period from 24th November, 2008 to 30th September, 2013 keeping in view the letters of the Opposite Parties dated 07th July, 2008 and 24th October, 2013.
3. Learned Standing Counsel appearing for the School & Mass Education Department submits that earlier the Petitioner had approached this Court by filing W.P.(C) No.4116 of 2017 which was disposed of on 17th March, 2017 with a direction to dispose of the representation of the Petitioner within a period of six months from the date of production of certified copy of the order dated 17th March, 2017. It is further submitted by him that pursuant to such direction of

this Court, representation of the Petitioner has already been disposed of by the authorities.

4. Learned counsel appearing for the Petitioner submits that the Opposite Parties have extended similar benefits to many such similarly situated persons. Therefore, such conduct of the Opposite Parties gives rise to a fresh cause of action to the Petitioner to approach this Court once again. He further prays that if a direction be issued to the Opposite Parties to consider his representation dated 11th October, 2021, it would redress his grievance in this writ petition.

5. In such view of the matter, the writ petition is disposed of with a direction to the Opposite Party No.2 to dispose of the representation of the Petitioner dated 11th October, 2021, if any such representation is still pending by a speaking and reasoned order within a period of 12 weeks from the date of production of certified copy of this order.

6. It is needless to mention here that the authority shall pass a reasoned and speaking order particularly taking into consideration the stand of the Petitioner that many similarly situated persons have been extended the benefits claimed by the Petitioner in the present writ petition. Any decision taken on the representation of the Petitioner shall be communicated to him within a period of 10 days thereafter.

7. It is however, made clear that this Court has not expressed any opinion on the merits of the case.

8. The writ petition stands disposed of.

9. Urgent certified copy of this order be granted as per Rules.

(A.K. Mohapatra)
Judge

RKS

