

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.41969 of 2021

Kishore Chandra Jena

Petitioner

....
Mr. K.K.Swain, Advocate

-versus-

State of Odisha and others

Opp. Parties

....
Mr.Sangram Jena, Standing Counsel,
S & ME

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

11.01.2022

Order No.

- 01.
1. This matter is taken up through Video Conferencing mode.
 2. The present writ application has been filed by the Petitioner seeking for a direction to the Opposite Parties for approval of his appointment against the 1st post of Lecturer in Odia in Tulasi Sanskrit College, Narendrapur in the district of Kendrapara and he has further prayed for release of his salary components in his favour as per Grant-in-Aid Order, 2009 on the basis of High Power Committee Proceeding dated 1st November, 2011 read with Government Circular dated 9th February, 2016 and as per Order dated 7th March, 2014 of Shri Jgannath Sanskrit Viswavidyalaya, Srivihar, Puri.
 3. It is submitted by Mr.Swain, learned counsel for the Petitioner that the Petitioner has submitted a representation dated 28th July, 2021 which is pending before the Principal Secretary, Higher Education Department, Odisha, Opposite Party No.1. Mr.Swain seeks

for a direction to the Opposite Party No.1 to consider the aforesaid representation in the light of the letters under Annexures-6,7,10 and 12. It is further stated by the learned counsel for the Petitioner that similar benefits have been extended to the similarly situated persons.

4. Mr.Praharaj, learned Standing Counsel for the State submits that he has no objection if a direction is given to the authority to consider the case of the present petitioner in the light of the letters/circulars relied upon by the Petitioner provided the petitioner is covered under the said letters and circulars issued by the Government from time to time.

5. Having heard learned counsel for the Petitioner, this Court disposes of the writ application with a direction to the Opposite Party No.1 to consider the representation of the Petitioner dated 28th July, 2021, if such a representation is in fact filed, within a period of three months from the date of production of authenticated copy of this order. The Opposite Party No.1 shall examine the issue and find out whether the Petitioner is entitled to get the benefit under the letter/circular filed by the Petitioner under Annexures-6,7,10 and 12. In the event, the Opposite Party No.1 comes to the conclusion that the petitioner is in fact covered under such letters/circular, he may be extended such benefits within a period of one month from the date of taking a decision in the matter.

6. It is needless to mention here that the Opposite Party No.1 shall consider the representation of the Petitioner and dispose of the same by passing a speaking and reasoned order.

7. It is made clear that this Court has expressed no opinion on the merits of the case.

8. With the aforesaid observation the writ application stands disposed of.

9. 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, 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.

RKS

(A.K. Mohapatra)
Judge

