-IN THE HIGH COURT OF ORISSA AT CUTTACK

WP (C)No.31858 of 2024

Prasanta Kumar Sa **....** ***Petitioner***
Mr.B. Mohanty, Adv.

-versus-

State of Odisha & Others **.....** ***Opp. Parties***
Mr. S.K. Jee, AGA

CORAM:
MR. JUSTICE BIRAJA PRASANNA SATAPATHY
ORDER
19.12.2024

Order No.1

1. This matter is taken up through Hybrid Mode.

2. Heard learned counsel appearing for the parties.

3. Petitioner has filed the present Writ Petition inter alia with the following prayer:-

> *In view of the facts and circumstances as narrated above, it is therefore ardently prayed that your Lordships may graciously be pleased enough to admit the writ petition and after hearing the parties, issue a writ of mandamus directing the 0pp. Parties more particularly to the 0pp. Party No.3 i.e District Education Officer, Mayurbhanj, Baripada, to show cause as to why the deduction of the salary of the petitioner from December to till date shall not be declared as illegal and if the 0pp. Parties fail to show cause or shows insufficient cause, then the said rule may be made absolute by declaring the deduction of salary of the petitioner from December to till date is illegal, arbitrary and not*

in accordance with law and further be pleased to direct the O.P No.3 i.e District Education Officer, Mayurbhanj not to deduct the salary of the petitioner as he is eligible) entitled to get current basic Rs. 53600/- and net amount of Rs. 78256/- as received earlier till November and also direct the O.P No.3 to refund the amount already deducted from the petitioner's salary from November 2023 till date within a reasonable time stipulated by this Hon'ble Court.

4. He further submits that through highlighting his grievances, petitioner has filed a representation before Opp. Party No.3 vide Annexure-7 to the Writ Petition, but till date nothing has been done in the matter. In such background, he prays that a direction be issued to Opposite party No.3 to take a decision on the above noted petition within a specific time period.

5. Considering the submissions made and without expressing any opinion on the merits of the case, this Court directs opposite party No.3 to take a decision on the above noted petition in accordance with law within a period of three (3) months from the date of receipt of this order and communicate the result of such exercise to the petitioner.

The Writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

sangita

Signature Not Verified
Digitally Signed
Signed by: SANGITA PATRA
Reason: authenticaiton of order
Location: high court of orissa, cuttack
Date: 23-Dec-2024 13:29:55