

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.2520 of 2023

Makaradhwaja Barge

....

Petitioner

Mr. B.P. Das, Advocate

-versus-

State of Odisha and others.

....

Opp. Parties

Mr. Arnav Behera, ASC

Mr. S.K. Patra,

Standing Counsel

(For O.P. No.5)

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

06.02.2023

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioner, learned counsel for the State-Opposite Parties and learned Standing Counsel appearing for the Opposite Party No.5-Principal Accountant General (A&E), Odisha, Bhubaneswar.
 3. The present writ petition has been filed by the Petitioner with the following prayers:-

“It is, therefore, prayed that this Hon’ble Court may graciously be pleased to issue notice to all Opp. Parties to show cause. On perusal of causes shown be further pleased to direct Ops, more particularly Res. No.5, Principal Accountant General (A&E), Odisha for release of Petitioner’s retirement benefits such as leave salary of 300 days in his favour as admissible to the post.”

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation under Annexure-4 before the Opposite Party No.5, but the same is still

pending before the said Opposite Party and the said Opposite Party has not taken any decision as of now.

5. Learned counsel for the State as well as the learned Standing Counsel appearing for the Opposite Party No.5 submit that they have no objection, if a direction is given to the authority concerned to consider the representation of the Petitioner in accordance with law within a stipulated period of time.

6. Considering the submissions made by the respective parties and without expressing any opinion on the merits of the case, this Court disposes of the writ petition at the stage of admission with a direction to the Opposite Party No.5 to consider the representation of the Petitioner under Annexure-4 in accordance with law within a period of six weeks from the date of production of certified copy of this order. It is needless to mention here that the representation of the Petitioner shall be considered and disposed of by passing a speaking and reasoned order. Any decision so taken on the said representation shall be communicated to the Petitioner within a period of two weeks thereafter.

7. Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge

Debasis