

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.22583 of 2023

Manas Ranjan Bhoi

....

Petitioner

*Mr.Kailash Chandra Kanungo,
Advocate*

-versus-

**Haridaspur- Paradip Railway
Company Ltd., Bhubaneswar and
others**

....

Opposite Parties

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

31.07.2023

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner. Perused the Writ Petition as well as the documents annexed thereto.
3. The Petitioner has filed the present writ application with the following prayer:

“ In view of the submission set forth above, it is therefore prayed that your Lordship may be graciously pleased to admit the Writ Petition and issue Rule NISI in the nature of Writ of Mandamus and/or writ of certiorari or any other appropriate writ(s) or direction calling upon the Opposite Party No.1 to show cause as to why the Petitioner shall not be appointed as Staff Car Driver on regular basis with regular pay scales at par with the O.P.No.2 and 3 w.e.f. 01.02.2014 with all consequential service and financial benefits in the same line like the O.P.No.2 and 3 in the event Opposite Parties fail to show cause or show insufficient cause the said Rule be made absolute.

AND

Any other direction(s) and order(s) as deemed fit in the circumstances at the case may, please be allowed.”

4. In course of hearing of the writ application, learned counsel for the Petitioner submits that the Petitioner ventilating his grievance has submitted representation before the Managing Director, Haridaspur-Paradip Railway Company Ltd., Party No.1 under Annexure-12. It is also submitted by the learned counsel for the Petitioner that the said representation is pending as of now. It is also submitted by the learned counsel for the Petitioner that a direction be issued to the Opposite Party No.1 to consider the representation of the Petitioner under Annexure-12 within a stipulated period of time.

5. 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.1 to consider the representation of the Petitioner under Annexure-12 in accordance with law keeping in view the law laid down by the Hon'ble Supreme Court in the case of **Secretary, State of Karnataka-v.- Uma Devi**, reported in **(2006) 4 SCC 1** and **State of Karnataka vs. ML Keshari (AIR 2010 SC 2587)** within a period of eight weeks from the date of production of certified copy of this order. The Opposite Party No.1 shall do well to dispose of the representation of the Petitioner under Annexure-12 by passing a speaking and reasoned order. The decision so taken on the representation of the Petitioner be communicated to the Petitioner within two weeks thereafter.

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

