
(2021) 11 OHC CK 0113

In the Orissa High Court

Case No : Writ Petition (Civil) No. 34930 Of 2021

Pravat Kumar Barik

APPELLANT

Vs

State Of Odisha & Others

RESPONDENT

Date of Decision : 17-11-2021

Acts Referred:

Citation : (2021) 11 OHC CK 0113

Hon'ble Judges : Biswajit Mohanty, J

Bench : Single Bench

Advocate : P.K.Satapathy, R.P.Mohapatra

Final Decision : Disposed Of

Judgement

Biswajit Mohanty, J.

This matter is taken up through video conferencing mode.

Heard Mr.P.K.Satapathy, learned counsel for the petitioner and Mr.R.P.Mohapatra, learned Addl. Government Advocate.

According to Mr.Satapathy, the petitioner is aggrieved by reserving the Office of Chairperson, Basudebpur Panchayat Samiti in the district of Bhadrak in favour of Unreserved woman on the ground that such reservation exceeds the legal limits. According to him, it should have been marked for general category and all this has been done in violation of the provisions of Panchayat Samiti Act and Rules made thereunder.

Mr.Mohapatra, learned Addl. Government Advocate submits that for redressal of such grievances, the petitioner should have approached the Collector, Bhadrak(opposite party No.3) instead of rushing to this Court.

In such background, Mr.Satapathy submits that liberty may be granted to the petitioner to approach the Collector, Bhadrak(opposite party No.3) for redressal of his grievances by filing a grievance petition and further prays that a direction

be issued to the said opposite party to take a decision on the same within a specific time period.

Considering the submissions made and without expressing any opinion on the merits of the case, this Court grants liberty to the petitioner to file a grievance petition before the Collector, Bhadrak(opposite party No.3) within a week along with a copy of this order. In the event such grievance petition is received by opposite party No.3, he/she is directed to take a decision on the same in accordance with law within a period of three weeks from the date of receipt of such grievance petition by passing a reasoned order after giving reasonable opportunity of hearing to the petitioner. In case the Collector, Bhadrak(opposite party No.3) comes to a conclusion which is in variance with the final list published under Annexure-1, he is directed to communicate the same to State Election Commission, Bhubaneswar (opposite party No.2).

The writ petition is accordingly disposed of.

Urgent certified copy of the order be granted on proper application.

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