

(2024) 04 OHC CK 0298

In the Orissa High Court

Case No : Writ Petition (C) No. 10232 Of 2024

Rajat Kumar Sahoo

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision : 30-04-2024

Acts Referred:

Citation : (2024) 04 OHC CK 0298

Hon'ble Judges : A.K. Mohapatra, J

Bench : Single Bench

Advocate : Prasanna Kumar Sahoo, D.Mohapatra

Final Decision : Disposed Of

Judgement

A.K. Mohapatra, J

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the petitioner as well as learned counsel for the State-Opposite Parties. Perused the writ petition as well as documents annexed thereto.
3. The present writ petition has been filed by the petitioner with the following prayers:

"It is, therefore, most humbly prayed that this Hon'ble Court may graciously be pleased to admit this writ petition, issue Rule NISI in the nature of writ of mandamus directing the Opp. parties more particularly to the opp. party No.3 to treat the petitioner as regular Pharmacist from the initial date of joining i.e. with effect from 29.3.2003 with all consequential service benefits including the benefit under OCS (Pension) Rules, 1992 keeping in view the order of the learned O.A.T under Annexure-11 and implementation of order dated 08.6.2016 under Annexure-12 series and judgment dated 01.12.2020, 22.09.2023 and 02.11.2023 under Annexure-15, 16 & 17 respectively.

And/or pass any other order/orders, direction/ directions as this Hon'ble Court may deems fit and proper in the interest

of justice and equity;”

4. In course of hearing, learned counsel for the Petitioner submits that the Petitioner may be granted liberty to file a fresh representation ventilating his grievance before the Chief District Medical & Public Health Officer, Bhadrak, Opposite Party No.3 which may be considered within a stipulated period of time in accordance with law.

5. Learned counsel for the State-Opposite Parties on the other hand submits that he has no objection if liberty is granted to the Petitioner to file a fresh representation before the Opposite Party No.3 and the same is considered and disposed of in accordance with law.

6. In view of the aforesaid limited nature of grievance of the petitioner, this Court disposes of the writ petition granting liberty to the Petitioner to file a fresh representation before the Opposite Party No.3 ventilating his grievance within a period of two weeks. If such a representation is filed within the time stipulated, the same shall be considered and keeping in view the order under Annexures-11, 12, 15, 16 & 17 and in the light of the judgment of this Court in Amaresh Behera & ors. vs. State of Odisha & ors. (W.P.(C) No.35563 of 2020 vide judgment dated 26.04.2024) and disposed of by the Opposite Party No.3 within a period of eight weeks from the date of filing representation by passing a speaking and reasoned order. The decision so taken on the same shall be communicated to the Petitioner within a period of two weeks thereafter.

7. With the aforesaid observation/direction, the writ petition is disposed of.

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

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