

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 342 of 2022

Kishore Kumar Patra

.....

Petitioner

Mr. A.K. Das, Advocate

-Versus-

State of Odisha and others

.....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

02.02.2022

I.A. No. 1026 of 2022

Order No.
02.

This matter is taken up by video conferencing mode.

2. This interlocutory application has been filed by the petitioner for modification of order dated 10.01.2022 passed in W.P.(C) No. 342 of 2022.

3. Considering the averments made in the application itself and after hearing learned counsel for the petitioner, the order dated 10.01.2022 passed in W.P.(C) No.342 of 2022 is recalled and fresh order is passed in W.P.(C) No. 342 of 2022.

4. The interlocutory application stands disposed of.

(DR. B.R. SARANGI)

JUDGE

P.T.O.

W.P.(C) No. 342 of 2022

Order No.
03.

This matter is taken up through video conferencing mode.

2. Heard learned counsel for the petitioner.
3. The petitioner has filed this writ petition seeking direction to opposite parties to extend him Grade pay of Rs.4800/- in 3rd RACP w.e.f. 29.05.2014 to 18.06.2014 and grade pay of Rs.5400/- till the date of retirement on 28.02.2021 in view of Panchayati Raj Deptt. notification dated 19.06.2014 under Annexure-3.
4. Learned counsel for the petitioner contended that the reasons for non-extension of such benefit has been considered in the case ***State of Odisha and another v. Bihari Lal and others*** (W.P.(C) No.2831 of 2016 disposed of on 27.06.2016), to which learned State Counsel has no objection.
5. In course of hearing, learned counsel for the petitioner states that the petitioner may be permitted to move a fresh representation highlighting his grievances before the authority so that the same can be considered in the light of the ratio decided by this Court in ***Bihari Lal*** (supra).
6. Considering the limited nature of grievance of the petitioner, this Court directs the petitioner to file a fresh representation within a period of fifteen days from today ventilating his grievances before the authority. In the event the petitioner files such representation along with the judgment passed by this Court in ***Bihari Lal*** (supra), the authority shall consider and pass appropriate order taking into consideration the ratio decided in ***Bihari Lal*** (supra) within a period of two months thereafter.
7. With the aforesaid observation and direction, the writ petition is disposed of.

As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed, vide Court's Notice No.4587 dated 25th March, 2020, as modified by Court's notice no. 4798 dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

Ashok

(DR. B.R. SARANGI)
JUDGE

