

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.11398 of 2022

Saroj Kumar Nayak

....

Petitioner

Mr. Krishna Chandra Sahu, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. YSP Babu, AGA for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

06.05.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. The present writ petition has been filed by the Petitioner with the following relief:

“It is, therefore, prayed that your Lordships may graciously be pleased to admit & allow this writ application by directing the opp. parties to allow the 2nd RACP benefit in favour of the petitioner on completion of 20 years of service as on 06.11.2015 by fixing his basic pay in the time scale of i.e.9300/- to Rs.34800/- with G.P. of Rs.4200/- in accordance with Annexure-2 & 3 so also in the light of similar such benefit has been extended in case of similar Chainman/Amin as per Annexures-5, 6 & 7 so also in the light of *Biharilal Barik*’s case along with financial benefits w.e.f. 06.11.2015 by further revising the pay of the petitioner as per the ORSP Rules 2017 with granting the consequential benefits as due &

admissible in favour of the petitioner within a time bound period for the interest of just.”

4. It is submitted by learned counsel for the Petitioner that highlighting his grievance, Petitioner has filed a representation before the Principal Secretary, Water Resources Department, Odisha, Bhubaneswar, Opposite Party No.1, on which, no decision has been taken as yet. Accordingly, a prayer has been made to direct the Opposite Party No.1 to dispose of the said representation expeditiously.

5. Learned counsel for the State on the other hand submits that he has no objection, if a direction is given to the Authority to consider and dispose of the representation of the Petitioner within a stipulated period of time.

6. Considering the limited nature of grievance, this Court disposes of the writ petition at the stage of admission with a direction to the Principal Secretary, Water Resources Department, Odisha, Bhubaneswar, Opposite Party No.1 to consider and dispose of the representation of the Petitioner dated 15.11.2021 (Annexure-8) within a period of three months from the date of production of certified copy of this order. Opposite Party No.1 is also directed to consider the representation of the Petitioner taking into consideration Annexures-5, 6 and 7 in accordance with law and shall dispose of the same by passing a reasoned and speaking order. The decision so taken shall be communicated to the Petitioner within a period of two weeks thereafter. It is made clear that in the event it is found that Petitioner is eligible for the benefit, the amount shall be disbursed to him within one month thereafter.

7. With the above direction, the Writ Petition stands disposed of.
8. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge

U.K.Sahoo

