

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.1528 of 2022

Narayan Chandra Panda

.... ***Petitioner***
Mr.B.K.Pattanaik, Advocate

-versus-

State of Odisha & others

.... ***Opposite Parties***
**Mr.S.Jena, Standing Counsel,
S & ME..**

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

09.02.2022

Order No.

1. This matter is taken up through Hybrid arrangement (virtual/physical mode).
2. The present writ application has been filed by the Petitioner seeking for a direction to the Opposite Parties to allow Trained Graduate Scale of Pay to the Petitioner from the date, he has been discharging his duties as P.E.T. with B.P.Ed qualification.
3. Learned counsel for the Petitioner draws the attention of this Court to Annexure-10 i.e. the copy of the representation submitted before the District Education Officer on 30.01.2021, as pleaded in the body of the writ application and the same is pending as of now.
4. Mr.Jena, learned Standing Counsel for School & Mass Education department submits that he has no objection if a direction is issued to the District Education Officer, Opposite Party No.3 to consider the representation of the Petitioner in accordance with law and to dispose of the same within a stipulated period of time.
5. Learned counsel for the Petitioner draws the attention of this

Court to a judgment of this Court in the case of **Niranjan Nayak-vrs.-State of Orissa and others**, 2003(II) OLR 321 wherein the identical issue was considered by this Court and the same has been disposed of with similar direction. Further the learned counsel for the Petitioner referring to a letter dated 13.07.2016 under Annexure-5 written by the Director, TE & SCERT, Odisha Bhubaneswar to the Joint Secretary to Government in the department of School and Mass Education department claims TGT scale of pay.

6. Having heard learned counsel for the Petitioner and considering the nature of prayer made in the writ application, the present writ application is disposed of with a direction to the Opposite Party No.3, District Education Officer, Bhadrak to consider the representation of the Petitioner under Annexure-10 within a period of 10 weeks from the date of production of certified copy of this order in the light of the judgment in the case of **Niranjan Nayak-vrs.-State of Orissa and others** (supra) as well as the decision of the Government under Annexure-5 and dispose of by a speaking and reasoned order. Decision so taken shall be communicated to the Petitioner within 10 days thereafter.

7. It is made clear that this Court has expressed no opinion on the merits of the case.

8. With the aforesaid observation, the writ application stands disposed of.,

9. Issue urgent certified copy of this order as per Rule.