

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 2512 of 2020

State of Odisha

.....

Petitioner

Mr. S. Nayak, ASC

Vs.

Bijay Kumar Mohanty and others

.....

Opposite Parties

Mr. V. Mohapatra, Adv.

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S.K. MISHRA

ORDER

21.07.2022

Order No.

03.

This matter is taken up through hybrid mode.

2. Heard Mr. S. Nayak, learned Addl. Standing Counsel appearing for the State-Opposite Parties and Mr. V. Mohapatra, learned Counsel appearing for the Opposite Party No.1.

3. The State-Petitioner has filed this Writ Petition seeking to quash the Order dated 21.06.2019 passed in O.A. No.1880 of 2019 under Annexure-2, by which the Odisha Administrative Tribunal, Principal Bench, Bhubaneswar has directed the Petitioner to grant the benefit of financial up-gradation to the Opposite Party No.1, as has been sanctioned vide Order dated 06.01.2018 under Annexure-8, within a period of two months.

4. Perusal of Order dated 21.06.2019 would evident that similar benefit was granted by the Tribunal by judgment dated 09.05.2017 passed in O.A. No. 1610 of 2016 so also Order dated 18.05.2017 passed in O.A. No. 1556 of 2016 and batch. Thereby, the issue having been settled and Opposite Party No.1 having stood in the same footing, the Tribunal directed the Authority to grant the benefit to the Opposite Party No.1

5. Mr. V. Mohapatra, learned Counsel appearing for the

Opposite Party No.1 contended that as against the judgment dated 09.05.2017 passed in O.A. No. 1610 of 2016 so also Order dated 18.05.2017 passed in O.A. No. 1556 of 2016 and batch, the State has not approached any higher forum nor the same are set aside by any higher Court.

6. In view of such position, this Court does not find any error apparent on the face of record so as to warrant interfere with the Order impugned passed by the Tribunal. Accordingly, the Writ Petition merits no consideration and the same is hereby dismissed.

(DR. B.R. SARANGI)
JUDGE

(S.K. MISHRA)
JUDGE

Ashok/Padma

