

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 3120 of 2022

Rabindra Kumar Nayak

.....

Petitioner

Mr. G. Sethi, Advocate

Vs.

State of Odisha and others

.....

Opposite parties

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

04.02.2022

Order No.

1

This matter is taken up through video conferencing mode.

2. Heard.

3. The petitioners have filed this writ petition seeking for a direction to opposite parties to release the differential revised arrear salary of the petitioner w.e.f. 01.01.2016 to 30.09.2017 under ORSP Rules-2017, which came into force 01.01.2016 under Annexure-2 and as per Rule 9 of the Orissa Education (Recruitment etc.) Rules, 1974 within a stipulated period.

4. In course of hearing, learned counsel for the petitioners states that highlighting the grievance, the petitioners have made representation to opposite party no.1 vide Annexure-3, but no decision has yet been taken. Therefore, the same may be considered in the light of the judgment passed by this Court in ***Smt. Dipti Roy v. State of Orissa and others***, 2004 (II) OLR 718 and ***Bijay Ketan Khatua v. State of Orissa and others***, 2015(I) OLR 452, to which learned counsel for the State has no objection.

5. As agreed to by learned counsel for the parties, without expressing any opinion on the merits of the case, this Court disposes of this writ petition directing opposite party no.1 to take a decision on the representation filed by the petitioners vide Annexure-3 in the light of the judgments in ***Smt. Dipti Roy*** and ***Bijay Ketan Khatua*** (supra) and pass

appropriate order in accordance with law within a period of three months from the date of production of certified/authenticated copy this order.

6. 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.

TUDU

(DR. B.R. SARANGI, J.)

