

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 3105 of 2017

***Shubhasish Bihari and
Others***

....

Petitioner

Ms. Bharati Dash, Advocate

-versus-

State of Odisha and Others

Opp. Parties

Mr. S. K. Samal, AGA

(O.P. Nos. 1 to 3)

Mr. P. K. Parhi, ASGI

being assisted by Mr. D. Gochhayat

(O.P. No.4)

CORAM:

JUSTICE SANJAY KUMAR MISHRA

ORDER

26.08.2022

Order No.

- 06.** 1. This matter is taken up through hybrid mode.
2. The present Writ Petition has been filed by the Petitioners to command the Opposite Parties to pay the hiked remuneration of ₹12,000.00 which has already been passed in terms of letter dated 02.02.2013 issued by the Mission Directorate, National Rural Health Mission, Odisha, Department of Health and Family Welfare, Government of Odisha to Mission Director, NRHM-Cum-Member Secretary & Member Convener, OSH & FWS, Bhubaneswar, as at Annexure-2, within a stipulated time frame.

3. On being noticed, the Opposite Party No. 3 has rendered appearance and filed Counter on 25.11.2017 and in Paragraph-5 of the said Counter, it has been stated as follows:-

xxx

xxx

xxx

“5. That it is humbly submitted that after receipt of the notice of this Hon’ble Court in the above said writ petition, the issue was placed before the 35th meeting of the Executive Committee of the OSH & FW Society held on 05.09.2017. In response, the Executive Committee while deciding to release the enhanced remunerations to the Block Accounts Manager for 6 months period as approved by the Govt. of India also decided to place the case of Accountant of the Districts appropriately before the Govt. of India. Accordingly, all the CDMO-cum-Mission Directors have been requested to release the enhanced remuneration to the eligible Block Accounts Managers vide office letter No. 11123 dated 26.09.2017. A copy of the letter No. 11123 dtd. 26.09.2017 is annexed herewith and marked as Annexure-C/3.”

xxx

xxx

xxx

3. As it seems from Annexure-C/3, the Mission Directorate, National Rural Health Mission, Odisha, Department of Health and Family Welfare, Government of Odisha, vide the letter dated 26.09.2017 has already communicated to all CDMO-Cum-DMDs as follows:-

“With reference to the subject cited above, it is to inform you that the Executive Committee of OSH & FW Society in its 35th meeting held on 05.09.2017, had decided to release revised remuneration @13,585/- p.m. to the Block Accounts Managers working in Non-KBK district and Rs.14,585/- p.m to the Block Accounts Managers working in KBK districts for a period of 6 months i.e. from October, 2013 to March,

2014 as per approval in the Supplementary PIP, 2013-14. Necessary funds for the purpose will be met out of RCH Flexi-pool. The amount may be released in favour of the Block Accounts Managers who were actually working during the aforesaid period, subject to their entitlement for the same.

This is for your information & necessary action.”

4. Learned Counsel for the Opposite Party No. 3 also makes a submission that as per the telephonic instructions from the Competent Authority of National Health Mission in the meantime, the pay of Petitioners and similarly placed persons have further been enhanced and at present they are getting around ₹26,421.00 in Non-KBK districts and ₹27,421.00 in KBK districts per month, which is not disputed by the learned Counsel for the Petitioners.

5. In view of such admitted facts, the Writ Petition has become infructuous and accordingly, the same is disposed of as infructuous.

(S. K. MISHRA)
JUDGE