

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.9221 of 2022

Prafulla Kumar Patel

.... ***Petitioner***
Mr. S.K. Jee, Advocate

-versus-

State of Odisha and others

.... ***Opposite Parties***

Mr. K.K. Nayak, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
18.04.2022

Order No.

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

“In views of the facts stated and submissions made above, the Petitioner must humbly pray that the Hon’ble Court may graciously be pleased to issue a writ in the nature of writ of mandamus or any other writ/writs, order/orders, direction/directions in quashing the letter dtd. 5.11.2018 (Annexure-11), letter dtd. 29.11.2018 (Annexure-12), directing to grant Grade Pay of Rs.5,400 and Rs.6,600 towards 2nd and 3rd financial Upgradation in consideration of the representation dtd. 7.12.2018 (annexure-6) and 9.12.2021 (Annexure-9) as per the recommendation of Opp.Party No.5 dtd. 4.2.2019 (Annexure-7) and recommendation dtd.28.10.2019 of Opp.Party No.3(Annexure-8) by stepping up the pay above the pay which the admitted juniors are drawing as

indicated in the representations dtd.7.12.2018 (Annexure-6) and to release the pensionary benefits accordingly in the ends of justice considering the principle already decided by this Hon'ble Court; And may further Pass any other order/orders, direction / directions as deemed fit and proper.”

4. Looking to the prayer made in this writ petition, this Court observes, an administrative decision in the matter is required to be taken at the first hand. Accordingly, this writ petition stands disposed of with a direction to the competent authority to consider the grievance of the petition in this writ petition in the matter of grant of R.A.C.P. thereby permitting to file fresh representation within a period of fifteen days and the same is filed, the opposite parties shall taken a decision thereon taking into account the decision of this Court in W.P.(C) No.2831 of 2016, which has also been confirmed by the Hon'ble Apex Court in Diary No.(s)20358 of 2017 and W.P.(C) No.29120 which was complied with as per order dated 17.04.2020.

5. The entire exercise shall be completed within a period of three months from the date of communication of a copy of this order along with a copy of the writ petition by the petitioner and also the order of this Court in W.P.(C) No.2831 of 2016, which has also been confirmed by the Hon'ble Apex Court in Diary No.(s)20358 of 2017 and also the order of this Court in W.P.(C) No.29120, by the petitioner.

6. With the above direction, the writ petition stands disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge

