

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.10625 of 2022

Sunil Kumar Bhoi and others ***Petitioners***
Mr. Baibaswata Panigrahi, Advocate

-versus-

Director of Agriculture Marketing ***Opposite Parties***
-cum- Member Secretary, Odisha State
Agricultural Marketing Board,
Bhubaneswar and others

Mr. YSP Babu, AGA for State

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
05.05.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioners and learned counsel for the State.
3. The writ petition filed by the Petitioners involves the following prayer:

“The petitioners, therefore, pray this Hon’ble Court be kind enough to admit this writ petition issue notice to the Opp. Party especially Opp. Party nos.1 and 2 to file show cause as to why the implementation of 7th pay to the employees of the RMC, Sambalpur with immediate effect shall not be completed with effect from 01.01.2016 and if the Opp. Parties failed to file show cause or insufficient cause then this Hon’ble Court after hearing the counsel of the parties be pleased to issue in the nature of mandamus and direct the Opp. Parties to implement 7th pay to the employees of the

RMC, Sambalpur, with immediately with effect from 01.01.2016 along with payment of arrear dues.

And pass such other order/orders, writ/writs, direction/directions as the Hon'ble Court may deem, fit and proper.

And for this act of kindness, the petitioners as in duty bound shall ever pray.”

4. It is submitted by learned counsel for the Petitioners that the District Level Committee in its meeting held on 14.10.2019 deliberated an issue of payment of salary as per 7th Pay Commission recommendation and recommended the case of the Petitioners for payment of salary in terms of the said recommendation. It is stated that recommendation of the District Level Committee in its meeting held on 14.10.2019 recommended the Odisha State Agricultural Marketing Board, Bhubaneswar-Opposite Party No.2 for considering the case of the Petitioners and to implement the recommendations of 7th Pay Commission under ORSP Rules, 2017 to those regular employees of Sambalpur RMC w.e.f. 01.01.2016. He further submits that Opposite Party No.2 is sitting over the matter since last 3 years and no decision has been taken on the same as yet.

5. Learned counsel for the State on the other hand submits that since the matter is pending before the Authority, the Court may take a decision in the matter and the Authority may be directed to take a decision on the recommendation of the District Level Committee Meeting held on 14.10.2019. He further submits that Opposite Party No.2 shall also be directed to consider the representation in accordance with law within a stipulated period of time.

6. Considering the submissions made and keeping in view the limited nature of grievance, this Court disposes of the writ petition

with a direction to the Opposite Party No.2 to take a decision on the recommendation of the District Level Committee Meeting held on 14.10.2019 in respect of regular employee of RMC, Sambalpur within a period of two months from the date of production of certified copy of this order.

7. With the aforesaid direction, the writ petition stands disposed of.

8. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge

U.K.Sahoo

