

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 11096 of 2022

State of Odisha & Ors.

.....

Petitioners

Mr. S. Jena, SC (S&ME)

Vs.

Fanindra Gain and Ors.

.....

Opposite Parties

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

13.05.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. S. Jena, learned Standing Counsel for School & Mass Education Department for the State-petitioners.

3. The State-petitioners have filed this writ petition seeking to quash the order dated 09.11.2017 passed in O.A. No. 2436 of 2016 by which the Odisha Administrative Tribunal, Principal Bench, Bhubaneswar held that the private opposite party is entitled for Grade Pay of Rs.4200/- as 2nd RACP.

4. As it appears, though Odisha Administrative Tribunal, Principal Bench, Bhubaneswar passed the impugned order on 09.11.2017, but the State-petitioners have preferred this writ petition on 29.04.2022, i.e., after long lapse of more than four and half years, which shows that the State is not vigilant of his own conduct.

5. Mr. S. Jena, learned Standing Counsel for School & Mass Education Department prays that the matter may be disposed of on merit.

6. Such a contention is rejected. This Court is not inclined to entertain this writ petition at this belated stage, as the writ petition suffers from delay and laches, in view of the judgment/order of this Court in the case of *State of Odisha v. Surama Manjari Das* (W.P.(C) No. 15763 of 2021 dismissed on 16.07.2021).

7. Accordingly, the writ petition merits no consideration and the same is hereby dismissed.

(DR. B.R. SARANGI)
JUDGE

(SAVITRI RATHO)
JUDGE

Ashok/Puspa

