

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.12144 of 2022

Biranchi Narayan Naik ***Petitioner***
Mr.Krushna Chandra Sahu, Advocate

-versus-

State of Odisha and others ***Opposite Parties***
Mr.K.K.Nayak, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

13.05.2022

Order No.

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

“ It is, therefore, prayed that Your Lordships may graciously be pleased to admit and allow this writ application by directing the Opposite Parties to allow the 3rd RACP benefit in favour of the Petitioner on completion of 30 years of service as on 01.01.2013 by fixing his basic pay I the time scale of pay i.e. Rs.9,300 –Rs.34,800?_ with G.P. of Rs.4600/- in accordance with Annexure-2 & 3 so also in the light of similar such benefit has been extended in case of similar Chainman/Amin as per Annexurs-5,6 & 7 so also in the light of Biharilal Barik’s case along with financial benefits .w.e.f. 18.06.2016 by further revising the pay of the

Petitioner as per the ORSP Rules 2017 with granting the consequential benefits as due and admissible in favour of the Petitioner within a time bound period for the interest of justice.

And may pass any other Writ(s), Direction(s), Order(s) as this Hon'ble Court may be deemed fit and proper;

4. In course of hearing of the writ application, learned counsel for the Petitioner submits that ventilating his grievance, the Petitioner has filed a detailed representation before the Principal Secretary, Water Resources Department, Odisha, Opposite Party No.1 on 24.06.2021 under Annexure-8. It is also submitted by the learned counsel for the Petitioner that the said representation is pending without consideration as of now. It is also submitted by the learned counsel for the Petitioner that the Opposite Party No.1 may be directed to consider the representation of the Petitioner within a stipulated period.

5. Learned Additional Standing Counsel on the other hand submits that he has no objection if the representation of the Petitioner is considered by the Opposite Party No.1, which is stated to be pending, within a stipulated period of time in accordance with law.

6. Considering the limited nature of grievance of the Petitioner, the writ application is disposed of at the stage of admission with a direction to the Opposite Party no.1 to consider the representation of the Petitioner in accordance with law within a period of three months from the date of production of certified copy of this order. The Opposite Party No.1 shall do well to dispose of the representation of the Petitioner taking into consideration Annexures-5,6 & 7 by passing a speaking and reasoned order. The decision so taken on the representation of the Petitioner shall be communicated to the Petitioner within a period of two weeks thereafter.

7. With the aforesaid observation, the writ application stands disposed of.
8. Issue urgent certified copy as per Rules.

RKS

(A.K. Mohapatra)
Judge

