

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13920 of 2022

Srinath Sathoo

....

Petitioner

Mr. Sidheswar Mallik, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. Y.S.P. Babu, A.G.A..

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

04.07.2022

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 counsel for the State. Perused the record.
3. The present writ petition has been filed by the petitioner with the following prayers:
- “In view of the facts mentioned above, the petitioner prays for the following relief(s):-
- (I) Direct/order that the opposite party No.2 shall sanction and extend the benefit of RACP as per the proposal submitted by the Headmaster of the School and the consequential arrear differential pay shall be paid to the petitioner with admissible interest thereon.
- (II) Direct/order that after sanction and payment of RACP, the pension of the petitioner shall be revised from the date of his entitlement and differential arrear pension shall be paid with admissible interest thereon.

(III) Pass any such orders as may be deemed fit in the interest of justice.”

4. It is submitted by learned counsel for the petitioner that the Headmaster of the school has given recommendation in favour of the petitioner for fixing of pay grant, grade pay (RACP) Rules, 2008. It is further submitted by learned counsel for the petitioner that the District Education Officer, Jagatsinghpur-Opposite Party No.2 is sitting over the matter and till date, no decision has been taken on such recommendation.

5. Learned counsel for the State submits that since the matter is pending before the District Education Officer, Jagatsinghpur-Opposite Party No.2 may be directed to take decision on such recommendation as expeditiously as possible in accordance with law within a stipulated period of time.

6. Considering the submissions made by the respective parties, the limited nature of grievance involved in the present writ petition, keeping in view the case of the petitioner, this Court disposes of the writ petition at the stage of admission with a direction to the District Education Officer, Jagatsinghpur-Opposite Party No.2 to consider the recommendation 06.12.2018 under Annexure-3 given by the Headmaster, Manijanga Nodal High School, Manijanga, Jagatsinghpur in accordance with law within a period of two months from the date of production of certified copy of this order. In the event the petitioner is entitled to receive the upgrade service pay, the same shall be disbursed within a period of one month. Any decision so taken on the said representations shall be communicated to the petitioner within a period of two weeks thereafter.

7. With the aforesaid observation/direction, the writ petition is

disposed of.

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

(A.K. Mohapatra)
Judge

Jagabandhu

