

IN THE HIGH COURT OF ORISSA AT CUTACK

W.P.(C) No.14778 of 2022

Nirmalanjan Das

....

Petitioner

-versus-

State of Odisha & Others

....

Opp. Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

Order
No

ORDER
18.7.2022

1. 1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the Petitioner.
3. The petitioner has filed this writ petition with the following prayer:-

“ To issue notice to the opp. parties calling upon them to file show cause as to why a direction shall not be issued to grant grade pay of Rs.5400/- in favour fo the petitioner as 3rd RACP benefit on completion of 30 years of service with effect from 7.5.2015 as per Finance Department resolution dated 6.2.2013 as well as clarification issued on dated 20.1.2014 under Annexure-4 and the order passed by the opp. party No.3 dated 6.5.2022 under Annexure-8 in favour of similarly plced persons and after hearing the parties be pleased to direct the opp. parties to grant grade pay of Rs.5400/- in favour of the pititoner as 3rd RACP benefit with effect from 7.5.2015 taking into consideration judgment passed by this Hon’ble Court in case of State of Orissa and others Vs. Biharilal Barik in W.P.(C) NO.2831 of 2016 dated 27.6.2016.

A further direction be issued to the opp. parties to revise the pay of the petitioner as per ORSP Rule 2017 with effect from 1.1.2016 and thereafter revise his pension and pensionary benefits with effect from

1.11.2017 and release all arrears in favour of the petitioner within a date to be filed by this Hon'ble Court.

4. The Petitioner has moved before Opposite Party No. 3 seeking redressal of his grievances as made in the representation under Annexure-8 to the Writ Petition.

5. Considering the submissions made and without expressing any opinion on the merits of the case, this Court directs Opposite Party No.3 to take a decision on the above noted representation of the petitioner in accordance with law and taking into account Annexures-4,5,6 & 7. After such consideration, if it is found that the petitioner is eligible to get financial benefit, if any, the same shall be given to the petitioner within a period of three months from the date of receipt of certified copy of this order.

6. With the aforesaid observation and direction the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

sangita