

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.15216 of 2022

Subash Chandra Maharana Petitioner

-versus-

State of Odisha & Ors. Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
19.07.2022**

Order No

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard learned counsel for the Petitioner and learned counsel for the Opposite Parties.
3. The Petitioner has filed the present Writ Petition for the following reliefs:

“ The Petitioner therefore, humbly prays that the Hon’ble Court may be graciously pleased to allow this writ application, issue notices to the opposite parties for show-cause and further be pleased to issue a writ of Mandamus/Certiorari or any other direction(s) which will deem fit and proper to this writ application by directing the Opp. Parties i.e. to O.P. No.-1 to 4 to fix the pay of the petitioner in Level-8, Cell-24 at Rs.57,000/-, in Level-8, Cell-24 at Rs.57,000/-, in Level-8, Cell-24 the pay with grade Pay Rs.5,400/- Matrix of ORSP Rules- 2017 in the pay Matrix of ORSP Rules- 2017 on the basis of the Judgment dated 27.06.2016 in W.P.(C) No.2831 of 2016 (State of Odisha-vrs-Biharilal Barik) vide Annexure-1 and as per Letter No. 19420 dated 01.07.2020 of Finance Department vide Annexure-3, by allowing financial up-gradation in MACP after completion of 30 years of service as per Rule-13(ii) of Finance dept. Notification No. S.R.O.No. 414/2017 and to disburse the

differential arrear dues with a direction for modification of order of B.E.O., Pottangi vide his office Memo No. 466 dated 06.04.2021 vide Annexure-5 by forwarding the same to Accountant General to revise pension, w.e.f. 31.03.2022 within a stipulated period with cost.

AND

Further be pleased to pass any other order/direction which this Hon'ble Court thinks fit and proper.

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

4. However, taking into account the claim raised in the present Writ Petition, liberty is granted to the Petitioner to make a fresh representation before Opp. Party No.1 by enclosing all the relevant documents and citations in support of his claim, if any, within a period of three weeks hence.

5. It is observed that if such a representation is filed within the aforesaid period, Opp. Party No.1 shall do well to take a lawful decision on the same within a period of three months from the date of receipt of such representation. The order so passed by the Opp. Party No.1 be communicated to the petitioner.

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

(Biraja Prasanna Satapathy)
Judge

Sneha