

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.15400 of 2022

Asit Kumar Dey

.... ***Petitioner***
Mr. Lalit Sahu, 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.

3. Looking to the prayer made in this writ petition, this Court observes, an administrative decision in the matter is required to be taken at the first hand. Accordingly, this Writ Petition stands disposed of with a direction to the Competent Authority to consider the grievance of the Petitioner in this Writ Petition in the matter of grant of 3rd R.A.C.P., treating the same as a representation at the instance of the Petitioner and take a lawful decision thereon taking into account the decision of this Court in W.P.(C) No.2831 of 2016, which has also been confirmed by the Hon'ble Apex Court in Diary No.(s)20358 of 2017 and W.P.(C) No.29120 of 2019. This Court also records the submission of learned counsel for the Petitioner that following the direction of this Court indicated hereinabove, there

has been compliance of such direction in respect of similarly situated person involving W.P.(C) No.27733 of 2020 vide Annexure-8 at page no.45 of the brief along with Annexures-6 & 7 series. Similar employee like the present Petitioner has given the benefit under Annexures-6 & 7 series vide order No.3369 dated 24.02.2022 and order No.13838 of 24.04.2018 at page nos.39 to 44 of the brief.

4. The entire exercise shall be completed within a period of one & half months from the date of communication of a copy of this order along with a copy of the Writ Petition by the Petitioner and also the order of this Court in W.P.(C) No.2831 of 2016, the order of the Hon'ble Apex Court in Diary No(s). 20358 of 2017 and also the order of this Court in W.P.(C) No.29120 of 2019 by the Petitioner.

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

संक्षेपिक न्यायो (*A.K. Mohapatra*)
Judge