

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.15497 of 2022

Prasanta Kumar Mohanty

....

Petitioner

Mr. A.K. Das, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. P.C. Das, A.S.C.

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:

“It is, therefore, prayed that your Lordships may be pleaded to direct the State/O.Ps for sanction and disbursement of grade pay Rs.5400/- instead of Rs.4800/- in 3rd RACP on completion of 30 years of service in a single post/cadre of Ophthalmic Asst. in PB-2 Rs.9300-34,800/- w.e.f. 9.5.2013 in view of the settled principle of law in Bihari Lal case and accordingly, the order No.3733 dt.9.6.2017 under Anx.4 passed by CDMO, Ganjam (O.P.5) granting G.P Rs.4800/- in 3rd RACP be modified and the pension also be revised with all consequential financial benefits.

And pass any other order/orders as deemed fit and proper in the ends of justice, equity and good conscience.”

4. It is submitted by learned counsel for the petitioner that

although the petitioner has filed representation dated 18.05.2022 under Annexure-7 before the Principal Secretary to Government, Health & Family Welfare Department, Bhubaneswar-Opposite Party No.1, the same is still pending before the said Opposite party and the said Opposite Party has not taken any decision as of now.

5. Learned counsel for the State submits that he has no objection, if a direction is given to the authorities to consider the grievance petition of the petitioner 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 Principal Secretary to Government, Health & Family Welfare Department, Bhubaneswar-Opposite Party No.1 to consider the representation of the petitioner dated 18.05.2022 under Annexure-7 in accordance with law within a period of two months from the date of production of certified copy of this order. It is needless to mention here that the representations of the petitioner shall be considered and disposed of by passing a speaking and reasoned order. 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

