

IN THE HIGH COURT OF ORISSA AT CUTTACK

RVWPET No.171 of 2018

Hemalata Tripathy

....

Petitioner

Mr. Sidheswar Mallick, Advocate

-versus-

State of Odisha & Others

....

Opposite Parties

Mr. P.M. Pattajoshi, Standing Counsel
for the School & Mass Education

**CORAM:
THE CHIEF JUSTICE
JUSTICE M. S. RAMAN**

**ORDER
22.12.2022**

Order No.

02.

I.A. No.199 of 2018

1. For the reasons stated therein, the delay of 292 days in filing the review petition is condoned.
2. The I.A. is disposed of.

RVWPET No. 171 of 2018

3. This Court has been shown copies of the orders dated 25th April 2018 in RVWPET No.44 of 2018 (*Umakanta Rout v. State of Orissa*) and the order dated 20th July 2018 in RVWPET No.141 of 2018 (*Krushna Prasad Sahu v. State of Orissa*), where, following the decision of the Supreme Court in *A. Francis v. Management of*

Metropolitan Transport Corporation Tamil Nadu (2014) 13 SCC 383 and State of Punjab v. Dharam Pal 2017 (2) ILR, Cuttack 728 (SC), this Court has reviewed the earlier order passed and granted the relief of requiring the Opposite Party-State to pay the Petitioner the differential salary for the period from which the Petitioner was officiating as Headmaster till the date of superannuation.

4. In that view of the matter, the order dated 12th September 2017 passed by this Court in W.P.(C) No.1346 of 2010 is reviewed and a direction is issued to the Opposite Parties to pay the Petitioner a differential salary from the date on which he was officiating as Headmaster till the date of his superannuation.

5. The review petition is disposed of in the above terms.

6. Issue urgent certified copy of this order as per rules.

(Dr. S. Muralidhar)
Chief Justice

(M. S. Raman)
Judge