

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 16611 of 2022

Bhagabata Jena

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
25.08.2022

Order No

02. I.A. No.11371 of 2022

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Considering the grounds taken, the order dtd.20.07.2022 is recalled.

3. I.A. is disposed of.

03. W.P.(C) No. 16611 of 2022

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 with the following prayer:-

“It is, therefore, prayed that your Lordships’ be graciously be pleased to admit the writ Petition, issue rule nisi in the nature of appropriate writ or any other writ(s) as deem fit and proper calling upon the Opp. Parties to show cause as to why the prayer made hereunder shall not be allowed, and if no insufficient cause is shown, the said rule be made absolute by issuing writ(s) in the nature of:

The Opp. Parties be directed for grant the Grade Pay of Rs.5400/- and Rs.6600/- at the stage of 2nd & 3rd RACP on completion of 20/30 years of continuous service as on 01.01.2013 under RACPs in accordance with the ORSP Rules, 2008 read with the Notification No. 9652, dated 19.06.2014 of the PR Dept., Govt. of Odisha with all other consequential financial benefits as has been granted in favour of the other similar class of employees of the same department at Annexure-7. The amounts so due may be drawn & disbursed to the Petitioner with arrears after re-fixation of this pay as a consequential benefit at an early date and accordingly his pension be revised.

AND

Further be pleased to pass such other writ(s)/order(s) as may deem just and proper,

AND

For this act of kindness, the Petitioner, as in duty bound, shall ever pray. ”

4. Learned counsel for the Petitioner further submits that through highlighting his grievances, the petitioner has filed a representation on 10.11.2021 at Annexure-8 to the Writ Petition before the O.P. No.1, but till date nothing has been done in the matter. In such background, learned counsel for the Petitioner prays that a direction be issued to Opposite Party No.1 to take a decision on the above noted petition within a specific time period.

5. Considering the submissions made and without expressing any opinion on the merits of the case, this Court directs Opposite Party No.1 to take a decision on the above noted petition and taking into account Annexure-7 within a period of three months from the date of receipt of this order and communicate the result of such exercise to the Petitioner.

6. The Writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha