

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 20225 of 2021

Ghanshyam Chakra and others

Petitioners
....
Mr. L.K. Mohanty, Advocate

-versus-

State of Odisha and others

Opposite Parties
....
Mr. N.K. Praharaj, AGA

**CORAM:
JUSTICE A.K.MOHAPATRA**

**ORDER
16.11.2022**

Order No.

03. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard Mr. L.K. Mohanty, learned counsel appearing for the Petitioner, Mr. N.K. Praharaj, learned Additional Government Advocate appearing for the State-Opposite Parties No.1 to 3 and Mr. S.K. Patra, learned Standing Counsel appearing for the Opposite Party No.4-Accountant General (A&E), Odisha, Bhubaneswar.
3. Perused the record as well as the instruction received from the Directorate of Public Health, Odisha vide letter No.4125 dated 21.10.2021 placed before this Court by the learned Additional Government Advocate for consideration.
4. Learned counsel for the Petitioners by referring to order dated 25.08.2021 passed by this Court in this writ petition submits that the

Government counsel was directed to obtain instruction in the matter from the Government.

5. In reply to the aforesaid submission, learned Additional Government Advocate appearing for the State-Opposite Parties No.1 to 3 submits that he has already received instruction vide letter No.4125 dated 21.10.2021 of the Directorate of Public Health, Odisha which indicates that in this connection Govt. in Health & FW Deptt. have been pleased to allow for equal pay to equal work in favour of 344 MPHS(M) (both retired & continuing) service vide Govt. order No.5461/H dt.24.02.2021, which has been communicated to the all district authorities vide this Directorate order No.1067, dt.08.03.2021 in which the name of the petitioners are found placed at SL. No.27, 35, 49, 52, 64 & 69 with a instruction to revise the scale of pay of the petitioners from Rs.4000-100-6000 to Rs.4750-7500 w.e.f. 20.12.1997 (date of notification under ORSP Rule-1998 & from Rs.5200-20200 with G.P. Rs.2400 to 9300-34800/- w.e.f. 01.01.2006 under ORSP Rule-2008 or from the date of their engagement in the post of MPHS(M) along with consequential benefits as admissible of the petitioners. That the O.P. No.2 i.e. DPH, Odisha has duly complied with order dt.15.09.2020 passed by the Hon'ble Court in W.P.(C) No.21216 of 2020 filed by the petitioner.

6. On perusal of the letter No.4125 dated 21.10.2021 of the Directorate of Public Health, Odisha, this Court observes that the relief claimed by the Petitioners has already been sanction by the competent authority.

7. In reply to the aforesaid instruction, learned counsel for the Petitioners submits that till date, Petitioners have not received any benefits which has been sanctioned in their favour by the Government.

8. Mr. S.K. Patra, learned Standing Counsel appearing for the Opposite Party No.4-Accountant General (A&E), Odisha, Bhubaneswar submits that they have also not received the papers till date.

9. Having heard the learned counsel for the respective parties and the facts presented before this Court, this Court disposes of the writ petition with a direction to the Opposite Parties No.2-Director of Public Health, Department Building, Bhubaneswar and No.3-Chief District Medical and Public Health Officer, Keonjhar to implement the instructions provided vide letter No.4125 dated 21.10.2021 of the Directorate of Public Health, Odisha expeditiously and, therefore, necessary records/papers be forwarded to the Opposite Party No.4-Accountant General (A&E), Odisha, Bhubaneswar within period of one month from the date of production of certified copy of this order and the Opposite Party No.4-Accountant General (A&E), Odisha, Bhubaneswar is directed to disburse the sanction amount in favour of the Petitioners within a period of one month thereafter.

(A.K. Mohapatra)
Judge