

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No.15161 of 2019

State of Odisha & Ors.

.....

Petitioners

*Mr. A.K. Mishra, AGA
(O.Ps.1-3)*

Vs.

Dileswar Kisam & Ors.

.....

Opposite Parties

Mr. S.B. Jena, Advocate

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE G. SATAPATHY

ORDER

23.08.2022

Order No.

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This matter is taken up through hybrid mode.

2. Heard Mr. A.K. Mishra, learned Additional Government Advocate appearing for the petitioners and Mr. S.B. Jena, learned counsel appearing for the opposite parties.

3. The State and its functionaries have filed this writ petition challenging the order dated 05.09.2018 passed in O.A. No.2171 of 2018, by which the Odisha Administrative Tribunal, Bhubaneswar has quashed the order dated 06.09.2017 passed by the authority reducing the grade pay from Rs.4600/- to Rs.2800/-, relying upon the order passed by the Tribunal in O.A. No.520 of 2014 & batch and the judgment passed by this Court in W.P.(C) No.2831 of 2016.

4. This Court made a query vide order dated 05.07.2022 calling upon learned Additional Government Advocate to verify as to whether against the decision of the Tribunal in O.A. No.520 of 2014 and batch and the judgment of this Court in W.P.(C)

No.2831 of 2016, on the basis of which the relief has been granted to the opposite parties, the State has approached any higher forum or not. In compliance of the same, learned Additional Government Advocate states that the decision in O.A. No.1539 of 2017 was not challenged in the higher forum, but, however, against the order passed in O.A. No.520 of 2014 and batch, the State had preferred SLP before the apex Court and the apex Court has confirmed the said order. Therefore, the order passed in O.A. No.520 of 2014 and batch has reached its finality.

5. In that view of the matter, this Court is not inclined to entertain this writ petition. Accordingly, the same is dismissed.

6. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

(G. SATAPATHY)
JUDGE

Alok/Subhasmita

