

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.17797 of 2022

Sunaphul Majhi

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
22.07.2022

Order No

01.

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:-

“Therefore, it is, prayed that this Hon’ble Court be graciously pleased to pass following relief(s);

- (i) *The Hon’ble Court be pleased to allow this writ application.*
- (ii) *The Hon’ble Court be pleased to direct the Opp. Party authorities to allow 2nd RACP benefits in favour of the petitioner on completion of 20 years of service by fixing his basic pay appropriately in the time scale of Rs.9,300/- to Rs.34,800/- with G.P. Rs.4200/- w.e.f. 01.01.2013 in accordance with Annexure-2 & 3 in the light of similar such benefits as has been extended in favour of similar Chainman/Aminas per Annexure-6 (Series) so also keeping in view of the decision of the “Biharilal Barik –vrs- State of Odisha & Ors. along with all consequential financial benefits including the*

revision of pay as per ORSP Rules 2017 within a time bound period for the interest of justice.

(iii) The Hon'ble Court be pleased to pass any other Writ(s), Direction(s), Order(s) as this Hon'ble Court may be deemed fit and proper;

And for this act of kindness the petitioner, as in duty bound, will ever pray."

4. Learned counsel for the Petitioner further submits that through highlighting her grievances, the petitioner has filed a representation on 24.05.2021 at Annexure-7 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 taking into account Annexure-5 & 6 series within a period of three (3) 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