

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 18328 of 2022

Susanta Kumar Swain

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

01.08.2022

Order No

01.

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

2. Heard learned counsel for the Parties.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to allow him the grade pay of Rs.5,400/- as 3rd RACP and consequent pay revision under ORSP Rules, 2017.

4. In course of hearing, Mr. P.K. Mahapatra, learned counsel for the petitioner states that the petitioner may be permitted to move a fresh representation highlight her grievances before the authority concerned so that the same can be considered in the light of the ratio decided by this Court in *State of Odisha and Another v. Bihari Lal and others* (WP(C) No. 2831 of 2016 disposed of on 27.06.2016), to which learned State Counsel has raised no objection.

5. As agreed to by learned counsel for the parties, this Court, without expressing any opinion on the merits of the case, disposes of this writ petition permitting the petitioner to file a fresh representation before the authority concerned within a period of fifteen days from today ventilating her grievances. In the event the petitioner files such representation along with the judgment passed by this Court in ***Bihari Lal (supra)***, the authority concerned shall consider the same and pass appropriate order taking into consideration the ratio decided in ***Bihari Lal (supra)*** within a period of two months thereafter.

6. Issue urgent certified copy as per rules.

(Biraja Prasanna Satapathy)
Judge

Sneha

