

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 19163 of 2022

Gagan Bihari Swain (AFO) Petitioner

-versus-

State of Odisha & Ors. Opposite Parties

CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
29.08.2022

Order No

- 02.** 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:-

“The petitioner therefore humbly pray that, this Ho'ble Court may graciously be pleased to allow the Writ application, issue Rule "Nisi" calling upon the opp parties to show cause as to why the Annexure-6 is not set aside;

And if the opp parties are fail to show cause or show insufficient cause, make the said rule absolute by issuing appropriate Writ (s)/direction (s) in this fact of the present case and directing the opp party No 3 to the sanction / fixation pay in existing promotional pay band and grade pay i.e. PB-II (9300-34800) G.P 4600/- in pay matrix attached to the promotional post as per (MACP entitlement) and RACP Rule -2013 and fixed basic pay Rs 44,900/-in level-10, Cell -1 w.e.f. 01.01.2016 onwards as per the pay matrix as pa ORSP Rule, 2017 for the post of Asst. Fisheries Officer towards 2nd RACP on completion of 20 years of continuous service; And also disburse all legal dues and service benefit to the petitioner taking into Annexure -1 and 2 pass any other order /direction as

this Hon'ble Court may deem fit and proper in facts and circumstances of the case;

And for which 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 an application at Annexure-7 to the Writ Petition before the O.P. No.3, 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.3 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.3 to take a decision on the above noted petition taking into account Annexure-1 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