

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 2536 of 2015

Debendra Kumar Sahoo

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Petitioner

*Mr. D.R. Mohapatra,
Advocate*

Vs.

State of Odisha & Ors.

.....

Opposite parties

*Mr. S. Jena, SC, S&ME
Deptt.*

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

22.04.2022

Order No.

4

This matter is taken up through hybrid mode.

2. Heard Mr. D.R. Mohapatra, learned counsel for the petitioner and Mr. S. Jena, learned Standing Counsel for School and Mass Education Department.

3. Learned counsel for both the parties agreed that the issue involved in this writ petition is covered by the decision of this Court dated 16.05.2019, passed in W.P.(C) No.23323 of 2014. For ready reference, the said order dated 16.05.2019 is reproduced hereunder:

*“Heard learned counsel for the petitioner.
By way of this writ petition, petitioner has challenged the Resolution No. 11460 dated 01.5.2012 issued by the School and Mass Education Department as well as the order dated 14.11.2014 passed by the Odisha Administrative Tribunal, Bhubaneswar in O.A. No. 420 of 2012 and a batch of cases rejecting the claim of the applicant for revision of pay w.e.f. 01.01.1996.*

Learned counsel for the petitioner has invited attention of this Court to the letter dated 22.11.2018 issued by the Government Odisha, in the Department of School and Mass Education, to the Director, Secondary Education, Bhubaneswar, which reads as

under:

“Sir,

In inviting a reference to the subject cited above, I am directed to say that Govt. have decided to implement the common orders of the Hon'ble OAT dt. 15.5.18 passed in O.A. No. 1473(C)/12 filed by Sri Bijay Kumar Panda Vs. State of Odisha & others & batch cases.

In order to implement the order, this Department Resolution No. 11460/SME dated 1.5.12 is withdrawn.

You are therefore requested to take immediate steps to comply with the aforesaid common order under intimation to this Department forthwith. This has been concurred in by the Finance Department vide their UOR No. 143-SS-I dt. 23.10.18.

This may be treated as extremely urgent.”

Therefore, it is requested by the learned counsel for the petitioner that necessary direction may be issued to the opposite parties-authorities to consider the case of the petitioner in terms of the said letter.

In this view of the matter, opposite parties are directed to examine the case of the petitioner and if the petitioner is entitled to the benefits as claimed, the same shall be granted to the petitioner within four months from the date of receipt of a copy of this order.

This writ petition is disposed of accordingly.”

On the basis of submission of learned counsel for both the parties, the present writ petition is disposed of in terms of the above said order dated 16.05.2019.

Issue urgent certified copy as per rules.

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(DR. B.R. SARANGI)
JUDGE

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(SAVITRI RATHO)
JUDGE