

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20736 of 2022

Shiba Prasad Behera

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

17.08.2022

Order No

2.

1. This matter is taken up through Hybrid Mode.

2. Heard learned counsel for the petitioner.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to allow grade pay of Rs.5400/- with effective from 18.07.2016 the date of eligibility of getting 3rd RACP in the light of the judgment in the case of State of Odisha and another v. Bihari Lal and others (W.P.(C) No.2831 of 2016 disposed of on 27.06.2006) and similar matter disposed of on 27.6.2016 and 19.8.2019 in W.P.(C) No.14528 of 2019.

(ii) Direct order that the arrear differential salary along with other benefits if any shall be paid within a stipulated period with admissible interest thereon.

4. In course of hearing, learned counsel for the petitioner states that the petitioner may be permitted to file a fresh representation before the authority and the same may be directed to be disposed of keeping in view the judgment in State of Odisha and another v.

Bihari Lal and others (W.P.(C) No.2831 of 2016 disposed of on 27.06.2006) within a stipulated time, to which learned State Counsel has raised no objection.

5. As agreed by learned counsel for the parties, this Court without expressing any opinion on the merits of the case, disposes of the writ permitting the petitioner to file a fresh representation before the authority within two weeks hence. If such application is filed, the concerned authority shall consider the same and pass appropriate order keeping in view the judgment in Bihari Lal (supra) within a period of three months from the date of production of certified copy of this order along with the representation.

Sangita

(Biraja Prasanna Satapathy)
Judge

