

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.22073 of 2022

Pratap Kumar Behera

.... Petitioner

-versus-

State of Odisha & Ors.

.... Opposite Parties

**COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
12.09.2022**

Order No

- 01.** 1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the Petitioner and learned counsel for the State- Opposite Parties.
3. The Petitioner has filed the present Writ Petition with the following prayer:-

“(i) It is, therefore, prayed that this Hon’ble Court may graciously be pleased to issue notice to the opp. parties calling upon them to file show cause as to why a direction shall not be issued to release the arrears of late Barun Behera applicant in OA No.1527 of 2016 as directed by the Orissa Administrative Tribunal, Bhubaneswar in O.A. No.1527 of 2016 dated 18.05.2017 under Annexure-1 along with interest and after hearing the parties be pleased to direct the opp. parties to calculate and release the arrears of salary as well as pensionary benefits of Late Barun Behera in favour of the petitioner as per the direction of the learned Orissa Administrative Tribunal in O.A. No.1527 of 2016 and after hearing the parties be pleased to release the arrears to revise pay and pension of late Barun Behera in favour of the petitioner directed by the learned Orissa Administrative Tribunal, Bhubaneswar in OA NO.1527 of

2016 within a date to be stipulated by this Hon'ble Court".

5. Considering the submission made and without expressing any opinion on the merits of the case, the Petitioner is directed to make fresh representation before the Opposite Party No.1 by enclosing all the relevant documents and citations in support of his claim, if any, within a period of one week hence.

6. It is observed that if such a representation is filed within the aforesaid period, the Opposite Party No.1 shall do well to dispose of the representation within a period of one month. The decision so taken by the Opposite Party No.1 be communicated to the Petitioner within that time. The said authority while taking a decision shall taken into consideration the order passed by the learned Tribunal under Annexure-1 confirmed by this Court under Annexure-2. If it is ultimately found that the Petitioner is entitled to get the benefit, the said benefit shall also be extended within that time.

7. With the aforesaid observations and directions, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

Subrat