

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.27236 of 2021

Maguni Charan Moharana

....

Petitioner

Ms.Avijit Mishra, Adv.

-versus-

*Vice Chancellor,OUAT,Bhubaneswar
& Ors.*

....

Opp.Parties

*Mr.Avijit Pal,Adv
(For O.P Nos.1 & 2)*

**CORAM:
THE JUSTICE S. K. PANIGRAHI**

**Order
No.**

**ORDER
11.05.2022**

02

1. This matter is taken up by hybrid mode.
2. Heard.
3. In this Writ Petition, the petitioner has challenged the action of the opposite parties, more particularly, Opposite Party Nos. 1 and 2 in not extending the benefits of RACP and MACP schemes to the petitioner even though the petitioner has completed more than 30 years of qualifying service.
4. Learned counsel for the petitioner submits that the petitioner was appointed as Research Assistant, RRTTS, Ranital on Adhoc Basis and pursuant to the order dated 09.03.2015 passed by this Court in W.P.(C) No.3434 of 2003 his service was regularized in the post of Research Assistant with effect from 31.01.1991. Thereafter, he was transferred and posted as Laboratory Assistant in P.G. Department of

Aquaculture, College of Fisheries, Rangeilunda, Berhampur and continuing as such till date. After completion of twenty years of service, the petitioner submitted representation dated 02.09.2016 before the opposite party No.3 for extending him the benefits of RACP Scheme. The opposite party No.3 vide its letter took steps in that respect. The opposite party No.2 by order of opposite party No.1 adopted and implemented Assured Career Progression (RACP) Scheme for non-teaching employees of OUAT under ORSP Rules 2008 and informed all concerned to send the required documents for necessary sanction of RACP on or before 10.07.2018. It was implemented on 27.09.2018. Further on 01.08.2019 the opposite party No.2 by order of opposite party No.1 was pleased to adopt and implement Modified Assured Career Progression Scheme (MACP) for non-teaching employees of OUAT covered under ORSP Rules 2018. The opposite party No.3 submitted the service books and required informations in prescribed pro-forma and personal file of the petitioner before the opposite party No.2 for consideration of sanction of benefits under MACP Scheme along with other employees but the same was rejected on the ground of RACP.

5. It is pertinent to mention that after completion of twenty years of regular service, the case of the petitioner was recommended by opposite party No.3 to opposite party No.2 vide Annexure-4 along with all relevant documents for extension of benefits under RACP scheme which was not extended. Further after introduction of MACP Scheme by

opposite party No.1 as per Annexure-8 the benefits under the said scheme has also not been extended. Hence he prays for extending the benefits of RACP & MACP Schemes.

6. Learned counsel for the OUAT/O.P.Nos. 1 and 2 submits that since the case of petitioner has been covered under the new MACP Scheme, his case can be considered in the said scheme.

7. In view of the above, this Court direct to the opposite party No.1/Vice Chancellor, OUAT, Bhubaneswar and opposite party No.2/Registrar, OUAT, Bhubaneswar to consider the case of the petitioner under MACP scheme within a period of one month from the date of receipt of certified copy of this order along with a copy of the writ petition.

8. The Writ Petition is disposed of accordingly.

9. Issue urgent certified copy of this order as per Rules.

(S. K. Panigrahi)
Judge

LB

