

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.23128 of 2022

Surendra Kumar Mishra **Petitioner**

-versus-

The Commnr. –cum- SECY. to **Opposite Parties**
Govt. of Odisha, W And CD
Dept., BBSR & Ors.

CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
13.09.2022

Order No

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. N.S. Panda, learned counsel for the petitioners.
3. The petitioner has filed this writ petition seeking for direction to the opposite parties to modify the impugned order dated 17.01.2015 in Annexure-4 by granting him Grade Pay of Rs.5400/- instead of Rs.4800/- at the state of 2nd Financial up-gradation under RACPS on completion of 20 years of continuous service & Grade Pay of Rs.6600/- at the stage of 3rd MACP on completion of 30 years of service with all other consequential service and financial benefits. He further seeks for direction to the opposite parties to refix his subsequent pay incorporating the modified Grade Pay of Rs.5400/- and draw and disbursement of arrear dues incurred out of such re-fixation within a stipulated time.
4. In course of hearing, Mr. N.S. Panda, learned counsel for the petitioner states that the petitioner may be permitted to move a fresh representation highlighting his grievances before the Authority so

that the same can be considered in the light of the ratio decided by this Court in ***State of Odisha and another v. Bihari Lal and others*** (W.P.(C) No.2831 of 2016 disposed of on 27.06.2006).

5. Considering the limited nature of grievance of the Petitioner, this Court directs the Petitioner to file a fresh representation within a period of fifteen days from today ventilating his grievances before the Authority. In the event the Petitioner files such representation along with the judgment passed by this Court in State of Odisha (supra), the Authority shall consider and pass appropriate order taking into consideration the ratio decided in State of Odisha (supra) within a period of two months thereafter.

6. With the aforesaid observation and direction, the writ petition is disposed of.

7. Urgent certified copy of this order be granted on proper application.

(Biraja Prasanna Satapathy)
Judge

Sneha