

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No. 692 of 2010

Ashok Kumar Nath

.....

Petitioner

None

Vs.

State of Odisha and others

.....

Opposite parties

Mr. A.K. Mishra, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

17.10.2022

Order No.

02

This matter is taken up through hybrid mode.

2. None appears for the petitioner at the time of call. Heard Mr. A.K. Mishra, learned Additional Government Advocate for the State. Perused the record.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to release the arrear salary of the petitioner from 22.07.1991 to 18.03.2007, the date the petitioner actual joined as Senior Clerk on the basis of promotion extended to him pursuant to the order of the tribunal.

4. Mr. A.K. Mishra, learned Additional Government Advocate contended that the petitioner claims the salary for the period he has not rendered the service. In the counter affidavit, it has been stated that no financial benefit can be allowed from 22.07.1991 to the petitioner till he joined in the post of Senior Clerk and his pay has been fixed notionally in the post of Senior Clerk from the date of his next junior joining in the post of Senior Clerk till he actually assumes the duties of Senior Clerk. According to him, the petitioner is not entitled to get the

salary as claimed by him in the writ petition.

5. In view of the above, the writ petition merits no consideration and the same stands dismissed accordingly.

Arun

(DR. B.R. SARANGI)
JUDGE

