

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No. 1945 of 2018

Satrughana Sarangi

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

12.12.2022

Order No

- 04.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. Nihal Rath on behalf of Mr. S.N. Patnaik, learned counsel for the Petitioner and Mr. D.K. Mohanty, learned Addl. Standing Counsel appearing for the Opp. Parties.
3. The present writ petition has been filed challenging the Office order dtd.02.08.2018 passed by the O.P. No. 3 under Annexure-6. As per the said order the claim of the Petitioner to get the benefit of TBA on completion of 15 years of service from his initial date of appointment has been rejected relying on Office Memorandum dtd.29.01.2002 issued by the Finance Department.
4. It is contended that similar claim after being allowed by the learned Tribunal vide order dtd.07.11.2012 in O.A. No. 200/2012 under Annexure-10 series, the same was challenged by the State before this Court in W.P.(C) No. 22715 of 2013. This Court vide order dtd.24.01.2014 while dismissing the writ petition, confirmed the order passed by the learned Tribunal on 07.11.2012.

5. In view of the fact that similar claim has been allowed by the learned Tribunal, which has been confirmed by this Court in W.P.(C) No. 22715 of 2013, this Court is inclined to quash the impugned order at Annexure-6. While quashing the same, this Court directs the Opp. Parties more particularly O.P. No. 3 to extend the benefit in favour of the Petitioner in the light of the order passed by the learned Tribunal on 07.11.2012 and confirmed by this Court in W.P.(C) No. 22715 of 2013. The entire exercise shall be completed within a period of 3(three) months from the date of receipt of this order.

6. The writ petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha

