

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.26064 of 2022

Balaram Rana and others Petitioners

-versus-

**Tata Power Central Odisha Opposite Parties
Distribution Limited,
(TPCODL), Bhubaneswar and
another**

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
17.10.2022**

Order No

- 01.** 1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioners and learned counsel for the State-Opposite Parties.
3. The Petitioners have filed the present writ petition with the following prayer:-

“(i) Direct/order that the petitioner shall be extended the benefit of MACP from the date of completion of (10) ten years of service considering the date of joining as notified in the gradation/seniority list issued by the opposite party.

(ii) Direct/order that the extra/additional period of training beyond one (01) year stipulated for Clerk-B shall be treated duty period and shall be counted for purpose of MACP and other service benefits in terms of the law settled by this Hon’ble Court in W.P.(C) No.13392/2009.

(iii) Pass such other orders as may be deemed fit and proper in the interest of justice.”

4. Learned counsel for the Petitioners submits that the Petitioners have already ventilated their grievance by filing a representation before the Opposite Party No.2 on 01.08.2022 under Annexure-7 to the writ petition, but till date nothing has been done on the same. In such background, learned counsel for the Petitioners prays that a direction be issued to the Opposite Party No.2 to take a decision on the above noted representation of the Petitioner within a specific time period.

5. Considering the submissions made and without expressing any opinion on the merits of the case, this Court directs the Opposite Party No.2 to take a decision on the representation of the Petitioner dated 01.08.2022 under Annexure-7 to the writ petition in accordance with law within a period of three months from the date of receipt of this order. It is observed that while considering the claim of the Petitioners, the Opposite Party No.2 shall take into consideration the implementation of the order dated 22.03.2013 passed by this Court in W.P.(C) No.13392 of 2009, if it is applicable to the case of the Petitioners. The decision so taken shall be communicated to the Petitioners within a period of two weeks from the date of such decision.

6. The writ petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge