

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.26296 of 2022

Prakash Chandra Panda **Petitioner**

-versus-

State of Odisha and others **Opposite Parties**

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 Petitioner and learned counsel for the State-Opposite Parties.
3. The Petitioner has filed the present writ petition with the following prayer:-

“(i) To direct the Opposite Parties to grant similar benefits of pay protection as has been given to similarly situated persons vis. Padmolachan Kalia, Judhistir Raj, Tarini Charan Panda, Rama Chandra Rana and others vide Annexure-7 in the light of the principles decided in O.A. No.2250(c)/2004 and 1766(c)2003 vide order dt. 29.8.2011, which has been affirmed by this Hon’ble Court in W.P.(C) No.22327/2013 and W.P.(C) No.6895/2013 as well as in SLP No.2274/18 and O.A. No.1456©/2014, which has been affirmed in W.P.(C) No.15789/2017 vide Annexure-5 and fix his pay accordingly and release the accrued arrear in favour of the petitioner within a stipulated period.

(ii) Pass such other order(s)/direction(s) as would deem fit and proper in the bonafide interest of justice.”

4. Learned counsel for the Petitioner submits that the Petitioner has already ventilated his grievance by filing a representation before the Opposite Party No.1 on 21.06.2021 under Annexure-6 to the writ petition, but till date nothing has been done on the same. In such background, learned counsel for the Petitioner prays that a direction be issued to the Opposite Party No.1 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.1 to take a decision on the representation of the Petitioner dated 21.06.2021 under Annexure-6 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 Petitioner, the Opposite Party No.1 shall take into consideration the order dated 16.9.2022 passed by this Court in W.P.(C) No.21419 of 2022. The decision so taken shall be communicated to the Petitioner within a period of two weeks from the date of such decision.

6. The writ petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge