

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) (OAC) No.1735 of 2018

Ratnakar Sahoo

.... Petitioner

-versus-

State of Odisha & Others

.... Opposite Parties

**COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
17.10.2022**

Order No

03. 1. This matter is taken up through Hybrid Mode.

2. Heard Mr. L. K. Mohanty, learned counsel for the Petitioner and Mr. M.K. Balabantaray, learned Standing Counsel for the State- Opposite Parties.

3. The Petitioner has filed the present Writ Petition with the following prayer:-

“(i) The Original Application be allowed.

(ii) The Respondents be directed to grant one increment in favour of the Applicant from the date of promotion dated 13.2.2015 as have already been extended to similarly placed employee dt.24.4.2017 under Annexure-5.

(iii) The Respondents be directed to calculate and release the arrears w.e.f. 13.2.2015 till date, within a date to be fixed by this Hon’ble Tribunal.

(iv) Such other order/orders be passed granting complete relief to the applicant”.

4. Learned counsel for the Petitioner submitted that similar prayer as made in the present Writ Petition in O.A.

No.81(C) of 2016 was allowed by the learned Tribunal vide its order dated 20.03.2017.

5. Learned counsel for the Petitioner also submitted that the said order on being challenged before this Court was upheld with dismissal of the writ petition so filed by the State-Opposite Parties.

6. In view of the same, learned counsel for the Petitioner submitted that since the claim of the Petitioner is similar to the claim which was allowed by the learned Tribunal in its order dated 20.03.2017 and upheld by this Court, the Petitioner be extended with similar benefit.

7. Considering the prayer made in the Writ Petition and the submission made by the learned counsel for the Parties, this Court while disposing the Writ Petition permits the Petitioner to make an application before the Opposite Party No.1 seeking extension of the benefit as made in the Writ Petition, if any such application will be made within a period of two weeks. The opposite party No.1 shall take a lawful decision on the same within a further period of two months. It is observed that while taking such a decision, the benefit extended in favour of the Petitioner in O.A No.81(C) of 2016 be considered and if it is found that the Petitioner is similarly situated, similar benefit be extended within the aforesaid time period.

8. With the aforesaid observations and directions, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge