

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.26826 of 2022

Dillip Kumar Samantaray **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:-

“To direct the State/O.Ps, more particularly O.P. No.5, the Collector, Dhenkanal to comply to the objection raised by A.G. (A&E), Odisha in their letter dt. 25.4.2022 under Annexure-11 and resubmit the pension papers to the A.G. (A&G) Odisha along with the order of implementation of Administrative Deptt. for allowing higher grade pay of Rs.4200/- towards 1st RACP in terms of Finance Deptt. letter No.19420 dt. 1.7.2020 under Annexure-9 for sanction of final pension in favour of the petitioner on the basis of Grade pay of Rs.4200/- “

4. However, taking into account the claim raised in the present writ petition, liberty is granted to the Petitioner to make a fresh

representation before Opposite Party No.1 by enclosing all the relevant documents and citations in support of his claim, if any, within a period of three weeks hence.

5. It is observed that if such a representation is filed within the aforesaid period, Opposite Party No.1 shall do well to consider the case of the Petitioner within a period of three months from the date of receipt of a certified copy of this order. The case of the Petitioner shall be considered by the Opposite Party No.1 in the light of the judgment passed by this Court in the case of *State of Odisha and another v. Bihari Lal and others* (W.P.(C) No.2831 of 2016). The decision so taken shall be communicated to the Petitioner within a period of two weeks from the date of such decision.

6. With the aforesaid observation and direction, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

Debasis