

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No.887 of 2016

Artabandhu Rout

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
21.12.2022**

Order No

- 03.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. L.K. Mohanty, learned counsel for the Petitioner and Mr. N.N. Satapathy, learned Standing Counsel appearing for the Opp. Parties.
3. The present writ petition has been filed with the following prayer:-

“Under the above circumstances it is therefore, humbly prayed that this Hon’ble Tribunal be graciously pleased to quash the orders/decisions under Annexure-5 series and direct the respondents to fix the pay of the applicant in the 1st and 2nd RACP w.e.f.9.1.1997 and 9.1.2007 in the Grade Pay of Rs.4,200/- and Rs.4,600/- respectively;

And further the Hon’ble Tribunal be pleased to direct the respondents to calculate the differential arrears of the applicant in the aforesaid manner and pay him the actual financial benefit w.e.f. 1.1.2013 with the next increment from 1.6.2013 with all consequential arrears within a stipulated period as deem fit and proper;

And /or pass any other order/orders in the fact and circumstances of the case to give complete justice to the applicant.”

4. It is contended that similar claim after being allowed by the Tribunal in O.A. No. 1136(C) of 2016 and batch, the same was challenged before this Court in W.P.(C) No. 13520 of 2019 and W.P.(C) No. 13524 of 2019. Both the writ petitions were dismissed by this Court vide order dtd.22.07.2022 by confirming the order passed in O.A. No. 1136(C) of 2016 and bath.

5. Learned Standing Counsel did not dispute the order passed in similar case by the Tribunal in O.A. No. 1136(C) of 2016 and confirmation of the same by this Court in its order dtd.22.07.2022 in W.P.(C) Nos. 13520 of 2019 and 13524 of 2019. In view of the same, the present writ petition is disposed of in the light of the order passed by the Tribunal in O.A. No. 1136(C) of 2016 and batch.

6. Petitioner is directed to produce a copy of this order along with a copy of the order passed by the Tribunal in O.A. No. 1136(C) of 2016 and batch before the O.P. No. 3 for compliance within a period of 10 (ten) days from today. If the same is filed as directed, O.P. No. 3 shall take necessary action on the claim of the Petitioner, in terms of the order passed in O.A. No. 1136(C) of 2016 and batch within a period of three (3) months from the date of receipt of this order.

7. The writ petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

Sneha