

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(TAC) No.45 of 2016

Jajneswar Mishra

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

24.08.2022

Order No

- 3.** 1. This matter is taken up through Hybrid Mode.
2. Heard Mr. P.C.Acharya, learned counsel for the Petitioner and Mr. N.N. Satapathy, learned Standing Counsel for the State-Opposite Parties.
- 3.** The Petitioner has filed the Writ Petition challenging the Office Order dated 28.10.1997 passed by the then Inspector of School, Mayurbhanj Circle, Baripada under Annexure-6.
- 4.** In the said order, the prayer of the Petitioner to extend the benefit of Time bound Advancement Scale of pay on completion of 15 years of service was rejected.
- 5.** Mr. Acharya, learned counsel for the Petitioner submitted that similar issue was taken up by this Court in OJC No.4336 of 1996 and this Court vide order dated 07.02.1997 while quashing similar nature of rejection directed for payment of Time Bound

Advancement scale of pay from the date of completion of 15 years of service.

6. Even though a counter affidavit has been filed by justifying the rejection, this Court after going through the order passed by the Court in the above noted case finds that the Petitioner's claim has not been considered in its proper perspective.

7. Therefore, in view of the order passed by this Court on 07.02.1997, this Court finds that the prayer of the Petitioner has been illegally rejected vide the impugned order dated 28.10.1997 under Annexure-6.

8. Therefore, this Court while quashing the same directs the Opposite Party No.3 to allow the benefit of Time Bound Advancement Scale in favour of the Petitioner w.e.f. 26.11.1988. Since it is submitted that the Petitioner has retired in the meantime, the Opposite Party No.3 is directed to extend the said benefit as directed hereinabove and consequential fixation of pay be also made accordingly. The entire exercise shall be completed within a period of four months from the date of receipt of this order.

9. Accordingly, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge