

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OA) No.2983 of 2015

Nishikanta Sarkar

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
05.07.2022

Order No

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard learned counsel for the Petitioner and learned counsel for the Opposite Parties.
3. The Petitioner has filed the present Writ Petition with the following prayer:-

“(i) Admit and allow the Original Application;

(ii) Necessary direction be issued to the Respondents, more particularly to the Respondent No. 3, 4 & 5 to sanction & disburse 2nd stage of RACPS financial benefits w.e.f. 01.01.2013 on the basis of Finance Department Resolution dtd.06.02.2013 as well as in view of the decision of the Hon’ble High Court in the matter of Shyamsundar Panda Vrs. DPI, Secondary Education and others as the services of the applicant has been entered Govt. service as an untrained Asst. Teacher on 27.11.1986 and he has completed 20 years of continuous service in the same grade/post much prior to 01.01.2013;

(iii) Any other relief(s) as the Hon’ble Tribunal deems fit and proper be awarded in favour of the applicant for the interest of justice.”

4. Considering the submission made and without expressing any opinion on the merits of the case, the Petitioner is directed to make a fresh representation before the Opp. 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, if on such consideration, it is found that the Petitioner is entitled to get any financial benefit, the same is also be disbursed within a further period of three months.

5. It is observed that if such a representation is filed within the aforesaid period, the Opp. Party No.1 shall do well to take a lawful decision within a period of three months from the date of receipt of such representation. The order so passed by the Opp. Party No.1 be communicated to the Petitioner.

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

(Biraja Prasanna Satapathy)
Judge

Sneha