

IN THE HIGH COURT OF ORISSA AT CUTTACK

**WPC(OAC) Nos.3259, 3260, 3261, 3262, 3262,
3263, 3264, 3265 & 3266 of 2016**

WPC(OAC) No.3259 of 2016

Abhaya Kumar Baliarsingh Petitioner

-versus-

State of Odisha & Ors. Opposite Parties

**COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
12.08.2022**

Order No

- 01.** 1. This matter is taken up through Hybrid Mode.
2. Since the issue involved in these Writ Petitions is similar, these matters were heard analogously and disposed of by the present common order.
3. Heard Learned counsel for the Parties.
4. The Petitioners are aggrieved by the communication issued by the Government-Opposite Party No.1 on 01.09.2016 under Annexure-3.
5. It is submitted that while issuing in the said communication with a direction to revise the entitlement of the Petitioners from 01.01.2013 to 30.06.2015, it was directed to recover the excess amount drawn by the Petitioners.

6. Mr. Pattnaik, learned counsel for the Petitioners submitted that similar issue was also challenged before this Court in WPC(OA) Nos.3291 to 3295 of 2016 and this Court relying on the decision of the Hon'ble Apex Court reported in the case of **State of Punjab & Others vs. Rafiq Masih** was pleased to quash the direction towards recovery of the excess amount.

7. Since similar issue has been decided by this Court with a direction that no recovery can be effected from the Petitioners, the Writ Petition is also disposed of in the light of the said order and with a direction that no recovery be made from the Petitioners in terms of the impugned communication issued on 01.09.2016 under Annexure-3.

8. The Writ Petitions are accordingly disposed of.

9. The photocopy of the order be placed on the connected matters.

संस्थानिक न्यायो

(Biraja Prasanna Satapathy)
Judge

Subrat