

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 28383 of 2022

Shyam Prakash Rout

.....

Petitioner

Mr. M.K. Sahoo, Advocate

Vs.

State of Odisha and others

.....

Opposite parties

Mr. S.N. Nayak, ASC

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

31.10.2022

Order No.

01

This matter is taken up through hybrid mode.

2. Learned counsel for the petitioner undertakes to remove the defect within three days.

3. The petitioner has filed this writ petition seeking direction to the Opp. Parties to grant all deferential financial benefits by revising the pay scales of the petitioner as Jr. Laboratory Assistant in terms of time to time revision of scale of pay rules i.e. in terms of revised scale of pay Rules 1998 (w.e.f. 1.1.1996 to 30.09.2004), revised scale of pay Rules 2008 (w.e.f. 1.1.2006 to 31.03.2010), revised scale of pay Rules 2017 (w.e.f. 1.1.2016 to till date) within a stipulated time following the principles of law as laid down by this Court in its judgment dtd.1.5.2014 passed in W.P. (C) No. 9066/2009 and judgment dtd.17.8.2017 passed in W.P. (C) No.13328/2011 under Annexure-5 & 6 respectively and to direct the Opp. Parties to grant three stages of RACP benefits on completion of 10, 20 and 30 years of service by three stages of financial up-gradation in terms of the RACP Schemes to the petitioner as due and admissible at par with Govt. counterpart within a stipulated time.

4. In course of hearing, learned counsel for the Petitioner states that highlighting the grievances, the Petitioner has made a representation to Opposite Party No.1 vide Annexure-8 and the same may be directed to be considered within a stipulated time taking into consideration Annexures-5 and 6, to which learned Counsel for the State has no objection. He further

contended that the order under Annexure-6 has also been affirmed by this Court in SLP (Civil) Diary No.19399 of 2018.

5. As agreed to by learned Counsel for the parties, this Court, without expressing any opinion on the merits of the case, disposes of the Writ Petition directing Opposite Party No.1 to consider the representation filed by the Petitioner vide Annexure-8, taking into consideration Annexures-5 and 6, which has been affirmed by the apex court as mentioned above, in accordance with law within a period of three months from the date of production of certified copy this order.

6. Issue urgent certified copy as per rules.

Arun

(DR. B.R. SARANGI, J.)

