

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.3619 of 2016

Nabakishore Behera

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

12.08.2022

Order No

1. 1. This matter is taken up through Hybrid Mode.
2. 2. Heard learned counsel for Petitioner and learned counsel for the State-Opposite Parties.
3. 3. The present Writ Petition has been filed with the following prayer:-

“(i) Under the above circumstances, it is therefore, humbly prayed that this Hon’ble Tribunal be graciously pleased to direct the respondents to re-fix the pay of the applicant in 1st and 2nd Revised Assured Career Progression (RACP) from 10.12.1987, 10.12.1997 and 10.12.2007 in the Grade Pay Rs.4600/-, Rs.4800/- and Rs.5400/- respectively by taking his entry grade pay at Rs.4200/- as per the decision of the State Government in Letter No.8857 dtd.1.5.2014 under Annexure-2 and the subsequent decision in Letter No.24359 dtd. 2.12.2015 under Annexure-4.

(ii) 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 and with all consequential arrears within a stipulated period as deem fit ad proper.

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

4. He further submits that through highlighting his grievances, the petitioner has filed a representation on 22.02.2016 at Annexure-3 to the Writ Petition, before the opposite party No.2 but till date nothing has been done in the matter. In such background, he prays that a direction be issued to opposite party No.2 to take a decision on the above noted petition within a specific time period.

5. Considering the submissions made and without expressing any opinion on the merits of the case, this Court directs opposite party No.2 to take a decision on the above noted petition in accordance with law and also taking into account the order under Annexures-2 & 4 within a period of three months from the date of production of certified copy of this order and communicate the result of such exercise to the petitioner. However, if ultimately found that the petitioner is eligible to get the benefit then appropriate steps be taken in that regard within a further period of three months.

6. With the aforesaid observation and direction, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

Subrat