

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.461 of 2015

Bhagaban Rout

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
05.09.2022**

Order No

- 02.** 1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the Petitioner and learned counsel for the Opposite Parties.
3. The Petitioner has filed the present Writ Petition for the following relief:-
- “(i) State Respondents may be directed to confer the benefits of RACP in favour of the applicant by arriving notionally as if the applicant is retired from service on or after 1.1.2013.
- (ii) State Respondents further may be directed to re-fix the scale of pay in pay band-2 in the time Scale of 9,300/- to 34,800/- with grade pay Rs.4,800/- in the favour of the applicant within the tenor, spirit of R.A.C.P.
- (iii) State Respondents may further be directed to re-fix/re-revise the last pay drawn by the applicant and consequence thereof to release the pensionary benefits upon re-fixation / re-revision of pay accordingly.
- (iv) Pass any other consequential order (s) / direction (s) as deem fit and proper to the present facts of case in order to give complete relief to the applicant as envisaged under

Rule-10 of the Orissa Administrative Tribunal (procedure) Rules, 1986”.

3. However, taking into account the claim raised in the present Writ Petition, liberty is granted to the Petitioner to make a fresh representation before Opp. Party No.2 by enclosing all the relevant documents and citations in support of his claim, if any, within a period of three weeks hence.

4. It is observed that if such a representation is filed within the aforesaid period, Opp. Party No.2 shall do well to take a lawful decision on the same within a period of three months from the date of receipt of such representation. The order so passed by the Opp. Party No.2 be communicated to the Petitioner.

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

(Biraja Prasanna Satapathy)
Judge

Subrat