

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.C. (OAC) No.1433 of 2015

Rabindranath Khatua

.... ***Petitioner***
Mr. J.K. Kar, Advocate

-versus-

State of Odisha & Others

.... ***Opposite Parties***
Mr. Nilambar Jena, Standing Counsel for
School and Mass Education

CORAM:
JUSTICE M.S. RAMAN

ORDER

21.06.2022

Order No.

- 01.
1. This matter is taken up through virtual/physical mode.
 2. The Original Application No. 1433 of 2015 was filed before the State Administrative Tribunal, Cuttack Bench, Cuttack. After its abolition, the same has been transferred to this Court which is renumbered as WPC (OAC) No. 1433 of 2015.
 3. The Petitioner, working as Assistant Teacher in Sekpur Primary School under the Block Education Officer, Pattamundai, filed the Original Application before the Odisha Administrative Tribunal with a prayer for issuance of direction to fix his scale of pay in terms of Odisha Revised Scale of Pay Rules, 1989 and further prayed for direction to the Opposite Parties to fix his scale of pay at par with trained matric scale of pay in accordance with the said Rules. It is brought to the notice by the learned counsel for the Petitioner that though learned Tribunal has issued notice to the Opposite Parties vide order dated 17th April, 2015, no counter is forthcoming from the side of the Opposite Parties.

However, the learned counsel for the Petitioner submitted that this matter can be disposed of by directing the

Opposite Party No.2 (Director of Elementary Education, Odisha) to consider his representation dated 14th July, 2014 submitted at Annexure-8 and cited the order dated 21st April, 2022 of this Court passed in the case of ***Adikanda Tripathy Vrs. State of Odisha & Others, WPC (OAPC) No. 212 of 2014.***

4. Mr. Nilambar Jena, learned Standing Counsel for School and Mass Education has no objection for such direction.

5. In view of the aforesaid submission, the writ petition is disposed of with the direction to the Petitioner to appear before the Opposite Party No.2 (Director of Elementary Education, Odisha) and produce certified copy of this order within two weeks hence. The Petitioner shall also furnish copy of the representation dated 14th July, 2014 as stated to have been pending before the said authority. The Opposite Party No.2 (Director of Elementary Education, Odisha) is directed to consider the representation as well as the documents furnished by the Petitioner after affording opportunity of hearing to the Petitioner within a period of four weeks from the date of receipt of documents from the Petitioner and pass reasoned order which shall be communicated. The entire exercise should be completed within two months.

6. With the above observation and direction, the writ petition stands disposed of.

Issue urgent certified copy of this order as per rules.

(M.S. Raman)
Judge