

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No.4551 of 2016

Laxmi Behera & Others

....

Petitioners

-versus-

State of Odisha & others

....

Opposite Parties

**COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
7.9.2022**

Order No

- 01.** 1. This matter is taken up through Hybrid Mode.
2. Heard Mr. L.P. Dwivedy, learned counsel for the petitioner and Mr. Satapathy learned Standing Counsel.
3. The petitioner has filed the present writ petition with the following prayer:

To quash the impugned order dated 21.10.2016 as at Annexure-4 by concurrently holding the same is bad, illegal and cannot be maintainable and/or sustainable in the eye of law.

Direct/order that the applicants shall be allowed to continue to get the RACP allowed to them in Grade Pay of Rs.4200/- and such benefit shall not be withdrawn and no recovery shall be made from their salaries.

4. It is submitted that in view of the interim order passed by this court, while issuing notice of the matter on 14.12.2016, no consequential action has been taken as against the petitioner pursuant to the notification issued on 21.10.2016. It is also submitted that the issue involved in the present writ petition has already been decided by

the learned Tribunal in its order dated 24.10.2017 passed in O.A. No.2576 of 2016 and batch. It is also submitted that the said order passed by the learned Tribunal has been upheld by this Court in its judgment dated 24.6.2022 passed in W.P.(C) No.7281 of 2018 and W.P.(C) No.4848 of 2021.

5. In such view of the matter, the present writ petition is disposed in the light of the judgment passed by the learned Tribunal on 24.10.2017 and confirmation of the same by this Court in its judgment dated 24.6.2022.

6. The Writ Petition is accordingly disposed of.

(Biraja Prasanna Satapathy)
Judge

sangita

