

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAC) No.3847 of 2015

Rabindra Nayak

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

08.07.2022

Order No

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. Patra, learned counsel for the Petitioner and Mr. Mohanty, learned counsel for the State.
3. This Writ Petition has been filed with the following prayer:
- “(i) The Respondents be directed to give promotion to the applicant to the post of Level-IV with effect from the date of eligibility under 1997 Rules with all consequential and service benefits.*
- (ii) And pass any other order/order(s), direction/direction(s) as it deems fit and proper.”*
4. It is submitted that similarly situated Primary School teachers appointed along with the Petitioner in the meantime were regularized and extended with the benefit w.e.f.1997 vide order dated 12.1.2021. But the Petitioner has not been extended with such benefit though similarly situated.

5. In view of such submission, liberty is granted to the Petitioner to make fresh representation before District Education Officer, Sambalpur - Opp. Party No.3 ventilating his grievances within a period of three (3) weeks from today.

6. It is observed that if any such application is filed, Opp. Party No.3 shall take a lawful decision on the same within a period of three (3) months from the date of receipt of such representation. It is observed that while taking such a decision, the stand taken by the Petitioner that similarly situated persons have been extended with the benefit w.e.f 1.9.1997 vide order dated 12.1.2021 be taken into consideration.

7. The Writ Petition is accordingly disposed of.

(Biraja Prasanna Satapathy)
Judge

Sneha

