

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No.1501 of 2014

Prafulla Kumar Pradhan

....

Petitioner

Mr. S.Ch. Mishra, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. S. Mishra, SC

CORAM: JUSTICE S.K. PANIGRAHI

ORDER

31.03.2022

Order No.

01. 1. This matter is taken up through hybrid mode.
2. This matter has been transferred to this Court after abolition of State Administrative Tribunal, Cuttack Bench, Cuttack.
3. The petitioner joined as Clerk in Bangurigaon Girls' High School, Bangurigaon, Dist. Puri and his post was approved by the competent authority. The said School was taken over by the Government w.e.f. 07.06.1994 vide G.O. No.38522 dated 06.12.1994. He retired from his service on superannuation on 29.02.2012.
4. The grievance of the petitioner is that though he was entitled to leave salary for a period of 300 days, he has got such leave period only for a period of 229 days. So, he claims that he is entitled to get leave salary for the rest period of 71 days.
5. In view such facts, by way of the original application, he has challenged the order dated 31.08.2013 vide Annexure-5 passed by the District Education officer, Puri, whereby his claim has been rejected.

6. Mr. S. Mishra, learned counsel for the School and Mass Education Department submits that the petitioner is not granted the salary for the unutilized period of 71 days as his case does not fall under Rule 8 of the Orissa Leave Rule, 1966 and the unutilized leave can be granted for a maximum period of 240 days as per Annexure-1, but in the present case the petitioner seeks grant of such leave for a period of 300 days as per Annexure-1.

7. Considering the aforesaid facts and submission, the WPC (OAC) is dismissed.

(S.K. Panigrahi)
Judge

pcd

