

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.4599 of 2015

Prafulla Kumar Sahoo

....

Petitioner

Ms. S.B. Jena , Adv.

-versus-

State of Odisha and Ors.

....

Opposite Parties

Mr. H.K Panigrahi, SAT

CORAM:

DR. JUSTICE S.K. PANIGRAHI

ORDER

13.09.2022

Order No.

- 04.
1. This matter is taken up through hybrid mode.
 2. Heard learned counsel for the parties.
 3. In this Writ Petition, the petitioner challenging the impugned office order No. 130 dated 06.09.2014 and 191 dated 28.10.2015 issued by the Opposite Party No.5/ Division Forest Officer, Nabarangpur, wherein the financial up-gradation has been allowed under RACPS in Order No. 215 dated 25.12.2013 was illegally withdrawn and revised Grade Pay to Rs. 2800/- instead of Rs.4600/-.
 4. The Petitioner has been allowed 2nd RACP with effect from 01.01.2013 vide Annexure-4 dated 25.12.2013, the said RACP has been revised and vide Annexure-10 dated 21.11.2005 the said calculated amount has been directed to be recovered from the Petitioner. Hence the Petitioner

has approached this Court with a prayer to quash Annexure-5,6 and 10.

5. In view of the ratio decided in O.A. No. 520 of 2014 and batch, Judgment of the Hon'ble Court of Odisha in W.P.(C) No. 2831 of 2016 in O.A. No. 65 of 2016 and batch, the petitioner is entitled to get grade pay of Rs.4600/- towards 2nd RACP on completion of 20 years service from 01.01.2013.

6. Hence, following the decision of the Tribunal in O.A. No. 520 of 2014 and batch, Judgment of the Hon'ble High Court in W.P.(C) No. 2831 of 2016, the order vide Annexure-5, 6 & 10 reducing the grade pay of the petitioner is illegal and liable to be quashed and accordingly quashed and the order granting grade pay of Rs. 4600/- vide Annexure-4 be extended to the petitioner within a period of three months from the date of receipt of a copy of this order.

7. With the aforesaid observation and directions, the Writ Petition is disposed of.

8. Issue urgent certified copy of the order as per Rules.

(Dr. S.K. Panigrahi)
Judge