

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OA) No.2481 of 2016

Hemanta Kumar Behera & Ors. Petitioners

-versus-

State of Odisha & Ors. Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
16.08.2022**

Order No

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. S.P. Pati, learned counsel for the Petitioner and Mr. Samal, learned Standing Counsel for School & Mass Education Department.
3. The Petitioner has filed this writ Petition seeking to quash the order dated 27.09.2016 under Annexure-5 and further seeks to direct the Opposite Parties not to recover anything from the Petitioner pursuant to Annexure-5 for the period worked as Zilla Parishad Regular Teacher (ZPRT) by virtue of Annexure-2 series.
4. Learned counsel for the Petitioner contended that the issue involved in this writ Petition is covered by the order dated 03.07.2019 passed by the Orissa Administrative Tribunal, Bhubaneswar in O.A. No.2420 of 2016, wherein it was directed that the seniority of the applicants be calculated with effect from 01.01.2005 as SSS, but there shall be no recovery of pay which they have been drawn as Primary School Teacher till it was post-dated

vide Annexure-5, i.e. the differential period from their previous appointments as Primary School Teacher and subsequent modified appointment as Primary School Teacher.

5. Learned Standing Counsel for the School and Mass Education Department has no objection to the aforesaid submission of learned Counsel for the Petitioner.

6. In view of the above, this writ Petition stands disposed of in terms of the order dated 03.07.2019 passed by the Orissa Administrative Tribunal, Bhubaneswar in O.A. No. 2420 of 2016.

Sneha



(Biraja Prasanna Satapathy)
Judge