

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OA) No.457 of 2016

Prasanna Kumar Das

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
18.07.2022**

Order No

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. None appears for the Petitioner when the matter was called.
3. The Petitioner has filed the present Writ Petition with the following prayer:-

“ In view of the facts mentioned in para-6 the applicant prays for the following relief(s):

It is therefore prayed before this Hon’ble Tribunal may graciously be pleased to pass the following orders in the interest of justice:-

- i. *To direct the Respondent No. 1 to 3 to extend the notional benefit of scale of pay along with annual increment as due and admissible from time to time as applicable to Jr. S.E.S. teachers in favour of the applicant from the date of creation supernumerary post from 12.07.1977 to 30.11.1981 and accordingly disburse actual financial benefits i.e. differential amount of salary and other service benefits for the period from 1.12.1981 i.e. his actual promotion to the Jr. S.E.S. cadre till he joined promotion to Head Master (Sr. S.E.S. cadre) on 24.04.2006 (F.N) and taking into account the increments as due and admissible to the applicant for the period of notional*

service benefit and on proper fixation of scale of pay and increments in the promotional post of Head Master and accordingly to fix the pension on the basis of actual last pay drawn and to pay the differential amount of pension and other pensionary benefits within stipulated time framed;

- ii. *To pass such other order/orders as may be deemed fit and proper in the facts and circumstances of the case in the interest of justice."*

4. Considering the fact that for the self same relief the representation of the Petitioner at Annexure-8 is pending consideration before O.P. No. 2, this Court while disposing the writ Petition, directs Opposite Party No.2 to take a decision on the above noted petition in accordance with law within a period of three (3) months from the date of receipt of this order and communicate the result of such exercise to the Petitioner.

5. The Writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha