

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No.29198 of 2022**

***Narendra Bishi***

....

***Petitioner***

***Mr. P.K. Sahoo, Advocate***

***-versus-***

***State of Odisha and others***

....

***Opposite Parties***

***Mr. P.C. Das, A.S.C.***

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**10.11.2022**

**Order No.**

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
  2. Heard learned counsel for the petitioner as well as learned counsel for the State.
  3. The Petitioner has been allowed 2<sup>nd</sup> RACP of Rs.2800/- with effect from 01.01.2013 vide Annexure-2 dtd.17.10.2015 and similarly situated persons have been allowed 2<sup>nd</sup> RACP of Rs.4600/- w.e.f. 01.01.2013 under Annexure-3 dated 25.12.2013. Hence the Petitioner has approached this Court with a prayer to allow him grade pay of Rs.4600/- instead of Rs.2800/- from the date of his entitlement.
  4. In view of the ratio decided in O.A. No. 520/2014 and batch, Judgment of the Hon'ble Court of Odisha in W.P.(C) No.2831/2016 in O.A. No. 65/2016 and batch, the Petitioner is entitled to get grade pay of Rs.4600/- toward 2<sup>nd</sup> RACP on completion of 20 years service from 01.01.2013.
  5. Hence following the decision of the Tribunal in O.A.

No.520/2014 and batch, Judgment of the Hon'ble High Court in W.P.(C) No.2831/2016, the order vide Annexure-2 allowing less Grade Pay to the Petitioner is illegal and liable to be quashed and accordingly quashed and the order granting grade pay of Rs.4600/- as has been allowed to similarly situated persons as under Annexure3 be extended to the Petitioner within a period of three months from the date of receipt of a copy of this order.

6. With the aforesaid observation/direction, the writ petition is disposed of.

7. Urgent certified copy of this order be granted on proper application.



*Debasis*