

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.29202 of 2022

Premlal Sagar

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

-versus-

State of Odisha and others

.... ***Opposite Parties***
Mr. A. Behera, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

09.11.2022

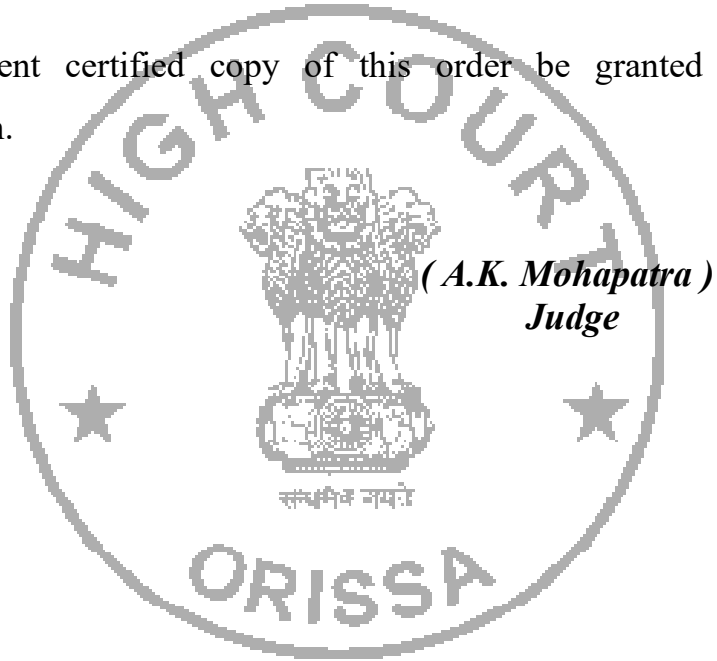
Order No.

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. Perused the record.
3. The Petitioner has been allowed 2nd RACP of Rs.2800/- with effect from 01.01.2013 vide Annexure-2 dtd.17.10.2015 and similarly situated persons have been allowed 2nd 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 2nd 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.

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



Jagabandhu