

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.C (OAC) No.3495 of 2014

Mahendra Prasad Mishra

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

11.04.2022

Order No

1.

1. This matter is taken up through Hybrid Mode.

2. Heard learned counsel for the Petitioner and learned counsel for the Opposite Parties.

3. The Petitioner has filed the present Writ Petition for the following reliefs.

“(i) to direct the respondents to protect the pay of the applicant by fixing at the stage of the time scale of Jr. S.E.S which is equal the pay in respect of Sr. S.E.S as on 01.09.2012.

(ii) to refix/fix the pay of the applicant as on 01.09.2012 as per Rule-74 (d) of the Orissa Service Code and pay the arrears differential due from 01.09.2012 to 31.03.2013.

(iii) Consequently fix the pension w.e.f 01.04.2013 and sanction and pay the pension and other post retirement benefits within a stipulated time.

(iv) Allow the application with cost.

4. However, taking into account the claim raised in the present Writ Petition, liberty is granted to the Petitioner to make a fresh representation before Opp. Party No.1 by enclosing all the relevant documents and citations in support of his claim, if any, within a period of three weeks hence.

5. It is observed that if such a representation is filed within the aforesaid period, Opp. Party no.1 shall do well to take a lawful decision within a period of three months from the date of receipt of such representation. The order so passed by the Opp. Party No.1 be communicated to the petitioner.

6. With the aforesaid observation and direction, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

Subrat

