

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.C. (O.A.) No.237 of 2016

Giridhari Swain

....

Petitioner

None

-versus-

State of Odisha and others

....

Opposite Parties

Mr. Nilambar Jena,

Standing Counsel for the School & Mass Education

CORAM:

JUSTICE M.S. RAMAN

ORDER

18.07.2022

Order No.

01.

1. This matter is taken up through virtual/physical mode.
2. The Original Application No.237 of 2016 was filed before the Odisha Administrative Tribunal, Bhubaneswar. After its abolition, the same has been transferred to this Court which is renumbered as WPC (OA) No.237 of 2016.
3. The Petitioner, Trained Graduate retired Headmaster of Malatiputa UGUP (M.E.) School under District Education Officer, Nayagarh claims for correction of pay fixation and prays for disbursement of arrear salary and pension in terms of corrected pay fixation.
4. None appears for the Petitioner at the time of call.
5. A counter affidavit has come to be filed by the Block Education Officer, Gania-Opposite Party No.4.
6. It is submitted by Mr. Jena, learned Standing Counsel for the School & Mass Education Department that the Petitioner was initially appointed as an Assistant Teacher on 22.06.1970 against the Trained Matric Post at B.B. M.E. School, Rasanga in the district of Nayagarh pursuant to the Government order dated 20.04.1995 in the Department of

School & Mass Education, Odisha, Bhubaneswar and letter dated 03.06.1995 issued by the Director, Elementary Education, Odisha, Bhubaneswar. The Petitioner-Assistant Teacher at B.B. M.E. School, Rasanga was allowed to function as in-charge Headmaster at Narasingh taken over U.P. School, Akurabandha against the existing vacant post and thereby, he was allowed to draw his own scale of pay. In such view of the matter, the claim of the Petitioner is not entertainable.

7. In view of categorical stand taken by the Opposite Party No.4, there remains nothing for adjudication in this writ petition.

8. Accordingly, the writ petition stands dismissed.

(M.S. Raman)
Judge

Jyostna

