

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAC) No.2641 of 2016

Tapan Kumar Nayak

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
11.08.2022**

Order No

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. D. Mund, learned counsel for the Petitioner and Mr. M.K. Balabantaray, learned standing counsel appearing for the Opp. Parties.
3. The present writ Petition has been filed with the following prayer:-

“i. The Hon’ble Tribunal be pleased to admit this Original application.

ii. The Hon’ble Tribunal be pleased to declare the fixation of pay scale of the applicants pursuant to annexre-7 as illegal and further direct the respondents particularly Respondent No. 3 to revise the scale of pay PB-I Rs.5,200 to Rs.20,200, GP-Rs.2,000 and usual DA with other allowances as admissible from time to time as per the State Govt. Norms with effect from 17.9.2013.

iii. That any other order(s)/direction(s) as this Hon’ble Tribunal deems fit and proper.”

4. Considering the fact that the claim raised by the Petitioner in this writ Petition is pending consideration before O.P. No. 3. This Court directs O.P. No. 3 to take a lawful decision on the claim of the Petitioner as made under Annexure-8 series within a period of three (3) months from the date of receipt of this order.

5. However, it is observed that while taking such a decision, the communication issued by the Directorate of Health Services, Odisha on 15.07.2013 under Annexure-9 be taken into consideration. If it is found that the Petitioner is eligible to get the benefit, necessary order be passed for extension of the benefit within a further period of 3(three) months.

6. Accordingly, the writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

Sneha

