

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 4276 of 2014

Ajaya Kumar Bal

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

16.12.2022

Order No

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard Mr. L.K. Mohanty, learned counsel for the Petitioner and Mr. D.K. Mohanty, learned Addl. Standing Counsel appearing for the Opp. Parties.

3. The Petitioner has filed the present writ Petition with the following prayer:-

“i) To direct the respondents to count the service of applicant rendered as resource teacher from 2.7.91 to 31.12.95 for the purpose of seniority.

ii) To direct the respondents to release the salary of the applicant for the period from 13.12.1994 to 30.11.1995.

iii) And pass such other order/orders as may be deemed fit and proper for the interest of justice.”

4. It is submitted that similar issue has been decided by this Court while confirming the order passed by the learned Tribunal in O.A. No.602(C) of 2013 dtd.16.09.2015. The order passed on 16.09.2015 in O.A. No. 602(C) of 2013 was challenged by the State Govt. in

W.P.(C) No. 3441 of 2017 and this Court dismissed the writ petition vide order dtd.05.05.2017.

5. Mr. D.K. Mohanty, learned Standing Counsel fairly submitted that the claim made in the present writ petition is covered by the decision of the learned Tribunal passed on 16.09.2015 in O.A. No. 602(C) of 2013, which has been confirmed by this Court in its order dtd.05.05.2017 in W.P.(C) No. 3441 of 2017.

6. In that view of the matter, the prayer made in the writ Petition is allowed. The O.P. No. 1 is directed to extend the benefit as due and admissible in favour of the Petitioner within a period of four (4) weeks from the date of receipt of this order.

7. The writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha

