

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAPPC) No. 735 of 2016

Trilochand Majhi

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
03.08.2022**

Order No

02.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. Routray, learned counsel for the Petitioner and Mr. Acharya, learned Standing Counsel appearing for the Department.
3. The present writ Petition has been filed with the following prayer:-

“In view of the facts stated above, the applicant prays that this Hon’ble Tribunal may graciously be pleased to

i) Admit the original application.

ii) Call for the record.

iii) Quash the impugned order dated 03.10.2016 under Annexure-10 and order dated 21.10.2016 under Annexure-12 issued by respondent no. 1 and direct the respondents not to take any action to withdraw the RACP already paid to the applicants and further allow

the applicants to continue to get RACP as before without any break.

And may pass any other order/orders as this Hon'ble Tribunal may deem fit and proper in the eye of law."

4. It is submitted that the issue involved in this case has already been decided by the learned Tribunal in its order dtd.24.10.2017 passed in O.A. No.2576 of 2016 and batch as well as order dtd.09.11.2017 passed in O.A. No.2499 of 2016 and batch.

5. It is further submitted that the aforesaid order passed by the learned Tribunal was challenged before this Court in W.P.(C) No.7281 of 2018 and W.P.(C) No.4848 of 2021.

6. Mr. Routray further submitted that the order passed by the learned Tribunal was confirmed by this Court by dismissing the aforesaid writ Petition vide its Judgment dtd.24.06.2022. Mr. Acharya, learned Standing Counsel also did not dispute the aforesaid submission of Mr. Routray.

7. Considering the submission made by learned counsel appearing for the Parties, the impugned order dtd.03.10.2016 as well as order dtd.21.10.2016 are quashed. While quashing the same, this Court directs the Opp. Parties to extend the benefit in terms of the order passed by learned Tribunal and affirmed by this Court in the aforementioned cases.

8. The writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha