

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No.2714 OF 2012

**Sumanta Kumar
Patbandha**

.....

Petitioner

Mr. B. Dash, Advocate

Vs.

State of Odisha & Ors.

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

22.02.2022

Order No.

1

This matter is taken up through hybrid mode.

2. Heard Mr. B. Dash, learned counsel for the petitioner and Mr. M.K. Balabantaray, learned Standing Counsel for the State.

3. The petitioner has filed this writ petition seeking direction to remove the anomaly persisting in his pay scale and refix his pay at Rs.4000-6000/- in terms of Orissa Revised Scale of Pay Rules, 1998 and at Rs.5200/-20,200/- with Grade Pay of Rs.2400/- and pay his arrear salary flowing out of the said pay revision within a stipulated period.

4. Mr. B. Dash, learned counsel for the petitioner contended that since the benefit was not extended as claimed in the writ petition, the petitioner has approached this Court by filing this writ petition.

5. Pursuant to notice issued, opposite parties have filed counter affidavit, whereof paragraphs-4 & 6 read as follows:

“4. That in reply to para 6.7 it is submitted that the Director

Indian Medicine and Homeopathy Odisha requested to Govt. in Health & F.W. Deptt. vide Directorate letter No.12439, dt.24.10.2008 to consider for revision of the scale of pay of Homoeopathic Asst. working in Government Homeopathic Hospitals and Dispensaries of the State to Rs.4000-6000/- P.M. with a request to recommend the case of Homoeopathy Asst. to Government in Finance Department for equalization of pay with the scale of pay of Pharmacist in Allopathic Hospital & P.H.C.

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6. That in reply to para 6.12 to 6.13 it is submitted that, regarding revision of scale of pay at par with the scale of pay of pharmacist in Allopathic Hospital and P.H.C. requested by the Director, to Govt. in Health & Family Welfare Department is still pending at Government level."

6. In view of such position, this Court directs opposite party no.1 to take a decision on the basis of recommendation made by the Director, Indian Medicines & Homeopathy, Orissa within a period of six weeks from the date of production/communication of the certified copy of this order and communicate the same to the petitioner.

7. With the above observation & direction, the writ petition stands disposed of.

Issue urgent certified copy as per rules.

Alok

(DR. B.R. SARANGI)
JUDGE