

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30084 of 2022

Prabhakara Patra

..... Petitioner

Mr. C.S. Panda, Advocate

-versus-

State of Odisha and others

..... Opp. Parties

Mr. P.K. Rout, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

15.11.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the petitioner as well as learned counsel for the State. Perused the record.
3. The present writ petition has been filed by the petitioner with the following prayers:

“It is, therefore, most humbly prayed that this Hon’ble Court may be pleased to Admit the writ application, issue rule *Nisi* calling upon the opp.parties to show cause as to why the prayers made hereunder be not allowed, Upon showing insufficient cause/no cause make the said Rule absolute, Issue writ/writs in the nature of:

- i. Mandamus directing Opposite Party Nos.1 & 2 to allow the petitioner with grade pay of Rs.6,600/- on 3rd financial up-gradation under RACPS w.e.f. 1.1.2013 respectively as well as to continue with the scale of payoff Rs.15600/--Rs.39100/-till the date of his retirement i.e. 31.1.2014 with all consequential and arrear financial benefits by modifying the impugned order dtd. 14.7.2014 passed by opp. Party No.2 under Annexure-5.
- ii. To direct the Opp. Parties to fix the pay appropriately and draw the pension and retirement benefits of the petitioner as per the refixed pay

along with the arrear accrued thereof.

- iii. And/or may pass such other writ/writs, order/orders, direction/directions as this Hon'ble Court may think fit and proper for the ends of justice;"

4. It is submitted by learned counsel for the petitioner that although the petitioner has filed representation dated 24.06.2022 under Annexure-7 before the Opposite Parties, the same is still pending before the said Opposite parties and the said Opposite Parties have not taken any decision on the same. It is further submitted by learned counsel for the petitioner that similarly situated persons have been extended such benefits and the case of the petitioner has not been considered as of now.

6. Considering the submissions made, the limited nature of grievance of the petitioner, this Court disposes of the writ petition at the stage of admission with a direction to the Opposite Parties to consider the representation of the petitioner dated 24.06.2022 under Annexure-7 taking into account under Annexure-6 in accordance with law within a period of eight weeks from the date of production of certified copy of this order. It is needless to mention here that the representation of the petitioner shall be considered and disposed of by passing a speaking and reasoned order. Any decision so taken on the said representation shall be communicated to the petitioner within a period of two weeks thereafter.

7. With the aforesaid observation/direction, the writ petition is disposed of.

Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge