

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) (OAC) No.165 of 2011

Sangram Pattanaik

....

Petitioner

None

-versus-

State of Orissa and others

....

Opposite Parties

Mr. R.N. Mishra, AGA for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

08.02.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. The present writ petition has been filed by the Applicant-Petitioner for a direction to the respondents to revise the scale of pay under ORSP Rules, 2008 with all consequential monetary benefits. Further prayer has been made to release/disburse the differential arrear salary in favour of the Applicant, w.e.f. 31.03.2008 till the date of receipt of promotional scale of pay.
3. Mr.Mishra, learned Additional Government Advocate for the State submits that the Petitioner has already allowed the the benefits accrued to him w.e.f. 31.03.2008. He further submits that irrespective of fixation of pay scale under ORSP Rules, 2008, the Applicant was allowed to get the pay of scale to the post of Senior Clerk w.e.f. 31.03.2008. He further submits that arrear differential pay as claimed by the Petitioner is allowed to the Petitioner as is evident from order dated 14.02.2011, passed in O.A. No.165(c) of

2011. Finally, in paragraph-5 of the counter affidavit it is stated that ‘action is being taken to finalize the departmental proceeding to regularize the period of suspension and services as well as pay of the applicant.’

4. In such view of the matter, it appears nothing survives to be adjudicated by this Court at this juncture. However, if the Petitioner feels the cause of action still survives and is still eligible to get the benefits, it is open to the Petitioner to file fresh representation before the Authority concerned. In such event, the same shall be considered and disposed of in accordance with law by passing a speaking and reasoned order expeditiously.

5. With the above observation, the writ petition stands disposed of.

6. Issue urgent certified copy on proper application.

(A.K. Mohapatra)
Judge