

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAC) No.337 of 2017

Santosh Kumar Jena

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

24.08.2022

Order No

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

2. Heard Mr. S.K.Jee, learned counsel for the Petitioner and Mr. N. Prusty, learned counsel appearing for the State-Opp. Parties.

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

“Under the above circumstances, it is humbly prayed that the Original Application may be allowed;

a) The impugned order dated 21.10.2016 issued by the State Govt. in School and Mass Education Department under Annexure-2 and the communication made by the District Education Officer to the Block Education Officer dtd.24.10.2016 vide Annexure-3 may be quashed and the applicant may be allowed to enjoy the benefit of second RACP in the pay band of Rs.9300/-34,800/- with grade pay of Rs.4200/- as they have been enjoying the said benefit much prior to issuance of the letter dated 21.10.2016, and

b) Any other order / orders or direction / directions be issued so as to give complete relief to the applicant”.

4. It is submitted that the issue involved in the present case has already been decided by this Court in its Judgment dtd.24.06.2022 passed in W.P.(C) No. 7281 of 2018 and W.P.(C) No. 4848 of 2021. In view of the decision of this Court as cited (supra) the impugned order dtd.24.10.2016 under Annexure-3 is hereby quashed. While quashing the same, Opp. Parties are directed to take action in terms of the order passed by this Court in the aforementioned case. The entire exercise shall be completed within a period of three (3) months from the date of receipt of this order.

5. The writ Petition is disposed of accordingly.

Subrat

(Biraja Prasanna Satapathy)
Judge

