

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAC) No.696 of 2017

Subash Chandra Sarangi **Petitioner**

-versus-

D.G. And I.G. of Police, Anugul **Opposite Parties**
& Anr.

CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
23.09.2022

Order No
02.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. Sethi, learned counsel for the petitioner and Mr. Balabantaray, learned Standing Counsel.
3. At the outset on the oral prayer made by Mr. Sethi, learned counsel for the Petitioner, he is permitted to correct Annexure in prayer.
4. The present writ petition has been filed with the following prayer.

*“(i) To quash the order dtd.29.07.2015 under Annexure-4 series.
(ii) To direct the respondents to sanction the RACP as per DO No. 47 dtd.10.01.2014.
(iii) And pass such other order/orders as may be deemed fit and proper for the interest of justice.”*

5. It is submitted that the prayer of the petitioner has been rejected on the ground that the petitioner has not passed the Departmental Accounts Training and unless he passes the said accounts training, he will not be eligible for getting the benefit of RACP. Mr. Sethi,

learned counsel for the petitioner submitted that similar issue was before this Court in W.P.(C) No.27703 of 2013. This Court in its order dated 27.4.2016 has already held that passing of Departmental Accounts Examination cannot be considered to be a pre-condition for grant of such benefit.

6. In view of such decision taken by this Court, it is found that the claim of the petitioner has been rejected without following the said decision passed on 27.04.2016. Therefore, this Court has got no hesitation in quashing the same passed on 29.07.2015 under Annexure-4 series and while quashing the same directs Opp. Party No. 3 to take a fresh decision in the light of the decision rendered by this Court in the above noted case.

7. Such a fresh exercise shall be completed within a period of two months from the date of receipt of this order. It is also observed that if the Petitioner is found eligible to get the said benefit, necessary financial benefit shall also be extended in his favour within the aforesaid time.

8. The Writ Petition is accordingly disposed of.

(Biraja Prasanna Satapathy)
Judge

Sneha