

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**WPC(OAC) No.2017 of 2017**

***Bhikari Charan Sahoo***

.... ***Petitioner***  
***Mr. S. Behera, Advocate***

***-versus-***

***State of Odisha and others***

.... ***Opposite Parties***  
***Mr. K.K. Nayak, A.S.C.***

**CORAM:**  
**JUSTICE A.K. MOHAPATRA**

**ORDER**  
**02.05.2022**

**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.
3. The present writ petition has been filed by the petitioner with the following prayer :-

“In view of the facts mentioned in Para-4, the applicant pray for following relief(s);

The Hon’ble Tribunal be pleased to direct the respondents to pay pension as per the 6<sup>th</sup> Pay Commission revised scale of pay to the applicant as well as revised scale of pay on the period 01.01.2006 to 31.08.2007 and accordingly the pension amount refixed with all consequential benefit and the said arrest be paid to the applicant within a stipulated period.”

4. The present application was initially filed before the Odisha Administrative Tribunal and upon abolition of the Odisha Administrative Tribunal, the matter has been transferred to this Court

for consideration.

5. Learned counsel for the petitioner submits that the petitioner was serving as a Peon before the Executive Engineer, R.D. Division, Jagatsinghpur-Opposite Party No.3 and in the meantime, he has been retired from the service on attaining the age of superannuation on 31.08.2007. He further submits that the petitioner has not been getting revised pay scale as per the Resolution No.54080/F/PCC-51/2008.

6. It is further submitted by learned counsel for the petitioner that although the petitioner has filed representation dated 08.20.2017 under Annexure-2 before the Executive Engineer, R.D. Division, Jagatsinghpur-Opposite Party No.3, the same is still pending before the said Opposite party and the said Opposite Party has not taken any decision as of now.

7. Learned counsel for the State submits that he has no objection, if a direction is given to the authorities to consider the grievance petition of the petitioner in accordance with law within a stipulated period of time. He further submits that the petitioner may be directed to file a fresh representation before the authority for consideration his grievances.

8. Considering the aforesaid submissions made by the parties and limited nature of grievance, keeping in view the case of the petitioner, this Court disposes of the writ petition at the stage of admission with a direction to the petitioner to file a fresh representation highlighting his grievances along with copies of the relevant documents in support of his claim before the Secretary, Department of Rural Development, Government of Odisha,

Bhubaneswar-Opposite Party No.1 within a period of two weeks from today. In the event such a representation is filed within the aforesaid period, while considering the case of the petitioner, shall take into consideration the Resolution No.54080/F/PCC-51/2008 and the same shall be disposed by passing a speaking and reasoned order within a period of two months from the date of filing of fresh representation. Any decision taken on the same shall be communicated to the Petitioner within a period of two week thereafter.

9. With the aforesaid observation/direction, the writ petition stands disposed of.

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

( *A.K. Mohapatra* )  
*Judge*

Jagabandhu

