

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 31236 of 2022

Jibachh Jha

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Petitioner

*Mr. A. Behera, on behalf of
Mr. H.P. Rath, Adv.*

Vs.

State of Odisha and others

.....

Opposite Parties

Mr. S. Jena, Standing Counsel, S&ME

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

22.12.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. A. Behera, on behalf of Mr. H.P. Rath, learned counsel for the petitioner and Mr. S. Jena, learned Standing Counsel appearing for the School and Mass Education Department.

3. Mr. A. Behera, on behalf of Mr. H.P. Rath, learned counsel for the petitioner seeks adjournment to get ready in the matter.

4. Perused the records. The petitioner has filed this writ petition seeking to quash Annexure-6, and to issue direction to the opposite parties to sanction and pay the arrear salary to the petitioner for the period from 11.10.1988 to 28.02.1995 as quantified vide order under Annexure-2 together with 9% interest thereon, within a stipulated time.

3. As it appears, earlier the petitioner had approached the State Administrative Tribunal, Cuttack Bench, Cuttack by filing O.A. No. 2676 (C) of 2016 and after abolition of the tribunal the said original application was transferred to this Court and registered as WPC (OAC) No. 2676 of 2016. As such, when the said writ petition was taken up on 12.08.2022, none appeared for the petitioner and the writ petition was disposed of granting liberty to the petitioner to approach the appropriate forum, if any cause of action still survives. Now the present writ petition has been filed by the petitioner with the selfsame relief. Therefore, this Court is not inclined to entertain this writ petition. Furthermore, the petitioner has claimed the benefit for the period from

11.10.1988 to 28.02.1995 in the year 2016 after long lapse of more than 20 years. As such, this being a money claim, the benefit is not admissible to the petitioner.

4. Accordingly, the writ petition merits no consideration and the same is hereby dismissed.

Ashok

(DR. B.R. SARANGI)
JUDGE

