

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No. 3641 of 2017

<i>Sudhakar Swain and others</i>	<i>.....</i>	<i>Petitioners</i>
		<i>Mr. K. Swain, Advocate</i>
	<i>-Versus -</i>	
<i>State of Odisha & Others</i>	<i>....</i>	<i>Opposite Parties</i>
		<i>State Counsel</i>

**CORAM:
DR. JUSTICE B.R. SARANGI**

**ORDER
08.09.2022**

Order No.
01

This matter is taken up through hybrid mode.

2. Heard.

3. The petitioners have filed this writ petition seeking to quash the order of recovery of the excess amount and to allow the petitioners to avail the benefit of 1st and 2nd RACP on completion of 10 and 20 years of service.

4. In course of hearing, learned counsel for the petitioners states that the petitioners may be permitted to move a fresh representation highlighting his grievances before the authority so that the same can be considered in the light of the ratio decided in the Orissa Administrative Tribunal in O.A. No. 1452 (C) of 2017 and batch of cases on 26.02.2019, since their case is covered by the said ratio, to which learned counsel for the State has no objection.

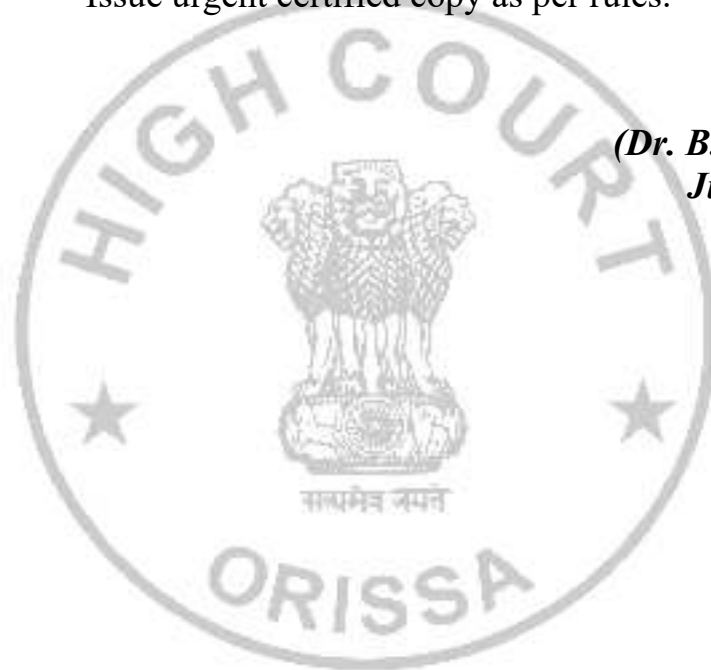
5. Considering the limited nature of grievance of the petitioners, this Court gives liberty to the petitioners to file a

fresh representation within a period of fifteen days from today ventilating his grievances before the authority. In the event the petitioner files such representation along with the copies of the aforementioned judgments, the authority shall consider the case of the petitioner for regularization and pass appropriate order taking into consideration the order dated 26.02.2019 passed by the Orissa Administrative Tribunal in O.A. No. 1452 (C) of 2017 and batch of cases, within a period of three months thereafter.

6. With the aforesaid observation and direction, the writ petition is disposed of.

Issue urgent certified copy as per rules.

Arun



(Dr. B.R. Sarangi)
Judge