

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OA) No. 95 of 2019

Baikuntha Bihari Dash

.....

Petitioner

Mr. R. Mohanty, Advocate

Vs.

State of Odisha & Ors.

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

24.09.2022

Order No.

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This matter is taken up by hybrid mode.

2. Heard learned counsel for the parties.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to modify the order as at Annexures-2 and 3 to the extent directing that the petitioner is entitled and eligible to get the grade pay of Rs.5400/- w.e.f. 25.03.2016, i.e., 3rd RACP in terms of the notification dated 19.06.2014 as at Annexure-4 and grant such financial benefits including the arrears within a stipulated time.

4. Learned counsel for the petitioner contended that the reasons for non-extension of benefit has been considered in the case *State of Odisha and another v. Bihari Lal and others* (W.P.(C) No.2831 of 2016 disposed of on 27.06.2016), to which learned State Counsel has no objection.

5. In course of hearing, learned counsel for the petitioner states that the petitioner may be permitted to move a fresh representation highlighting his grievance before the authority so that the same can be considered in the light of the ratio decided by

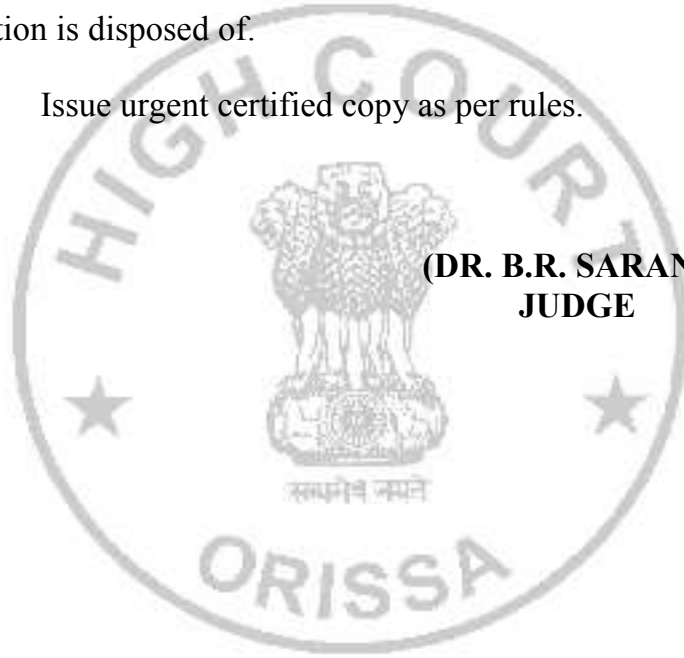
this Court in ***Bihari Lal*** (supra).

6. Considering the limited nature of grievance of the petitioner, this Court directs the petitioner to file a fresh representation within a period of fifteen days from today ventilating the grievances before the authority. In the event the petitioner files such representation along with the judgment passed by this Court in ***Bihari Lal*** (supra), the authority shall consider and pass appropriate order taking into consideration the ratio decided in ***Bihari Lal*** (supra) within a period of two months thereafter.

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

Issue urgent certified copy as per rules.

Ashok



(DR. B.R. SARANGI)
JUDGE