

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OA) No. 228 of 2019

Sanjulata Nayak

.....

Petitioner

Mr. N. Rath, Advocate

Vs.

State of Odisha and others

.....

Opposite Parties

Mr. S. S. Kanungo, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

27.09.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. N. Rath, learned counsel appearing on behalf of Mr. U.K. Patnaik, learned counsel for the petitioner and Mr. S.S. Kanungo, learned Additional Government Advocate for the State.

3. The petitioner has filed this Writ petition challenging the denial of RACP benefits admissible to him.

4. Mr. Rath, learned counsel for the petitioner contended that due to non availability of CCR, the benefit of RACP has not been extended to the petitioner, but it is candidly admitted in the counter filed by the authority, that sanction of RACP in favour of the petitioner may be considered by opposite party no.1.

5. Mr. S.S. Kanungo, learned Additional Government Advocate contended that since CCRs are the only ground not to extend the RACP benefit, if the same is made available, the case of the petitioner shall be considered for grant of RACP.

6. Having heard learned counsel for the parties and after going

through the record, it appears that the RACP could not be considered in favour of the petitioner by the Screening Committee held on 24.06.2016 at W&CD Department due to non-availability of CCRs for the particular period and was decided by the Committee that, “No Remarks Certificate” is to be obtained from the concerned District and basing on the same NRC to be issued in favour of the concerned employee for that period. Accordingly the DSWO, Mayurbhanj has intimated the Government in W& CD Department, Odisha that the CCRs of the petitioner for the period from 2012-13 & 2013-14 have already been sent vide letter dated 18.06.2016. Besides, “No Remarks Certificate” for the period from 2008-09, 2009-10, 2010-11 and 01.04.2012 to 31.03.2012 were also submitted by the DSWO, Mayurbhanj to the Government in letter dated 15.11.2016.

7. In view of the above, since the CCRs are made available with the Government, this writ petition stands disposed of directing the Opposite Party No.1 to take a decision for grant of RACP benefit in favour of the petitioner in accordance with law, as expeditiously as possible, preferably within a period of three months from the date of communication of the order.

8. Issue urgent certified copy as per rules.

Arun

(DR. B.R. SARANGI, J.)