

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) (OAPC) No.148 of 2019

Jaharlal Mahanta

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

10.10.2022

Order No

- 1.** 1. This matter is taken up through Hybrid Mode.
- 2.** 2. Heard learned counsel for Petitioner and learned counsel for the State-Opposite Parties.
- 3.** 3. The present Writ Petition has been filed with the following prayer:-

“(a) Let the applicant be promoted to the post of Headmaster w.e.f. 26.03.1993 i.e. the day on which juniors are being promoted;

(b) To pass necessary direction for re-fixation of his scale of pay of the applicant notionally w.e.f. 26.3.1993 as per ORSP Rules, 1989, w.e.f. 01.01.1996 as per ORSP Rules, 1998 and w.e.f. 01.01.2006 as per ORSP Rules, 2008 respectively from the date his juniors got promotion to the post of Headmaster/Headmistress;

(c) To pass necessary appropriate direction to the respondents not to recover any amount from the applicant arises in TBA in ORSP Rules, 1998 as well as ACP in ORSP Rules, 2008 at the time of allowing promotional benefits;

(d) Pass such other order(s) / direction (s) as this Hon’ble Tribunal may think fit and proper”.

4. Learned counsel for the Petitioner submits that through highlighting his grievance, the Petitioner has filed representation dated 04.03.2019 at Annexure-6-Series to the Writ Petition, before the opposite party No.1 but till date nothing has been done in the matter. In such background, he prays that a direction be issued to opposite party No.1 to take a decision on the above noted petition within a specific time period.

5. Considering the submissions made and without expressing any opinion on the merits of the case, this Court directs opposite party No.1 to take a decision on the above noted petition in accordance with law and also taking into account the order passed under Annexure-4 within a period of two months from the date of production of certified copy of this order and communicate the result of such exercise to the petitioner.

6. With the aforesaid observation and direction, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

Subrat