

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32051 of 2022

Kshitish Chandra Bishi

.... ***Petitioner***
Mr. S.B. Pati, Advocate

-versus-

State of Odisha & Others

.... ***Opp. Parties***
Mr. T.K. Pattnaik, ASC

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

01.12.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned counsel for the State-Opposite Parties.
3. The present writ petition has been filed by the Petitioner with the following prayers:

“It is therefore prayed that the Hon’ble Court be pleased to admit the writ application, issue notice to the opp. parties as to why this writ petition shall not be allowed.

And if the opp. parties fail to show cause or show insufficient cause, allow the writ petition with cost and appropriate writ/writs be issued to opp. parties with the following directions:-

(i) Opp. parties be directed to modify the Grade Pay of petitioner with Rs.5,400 instead of Rs.4,800/- on 2nd financial up-gradation under RACP Scheme from the date of his entitlement with effect from 01.01.2013 and to release the differential salary of the petitioner along with arrears within a stipulated period.

(ii) And be pleased to pass such other order/orders as

deemed fit and proper in the facts and circumstances of the case.”

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation dated 11.10.2022 before the Opposite Parties No.1 and 2 under Annexure-8, but the same is still pending before the said Opposite Parties and the said Opposite Parties have not taken any decision as of now.

5. Learned counsel for the State submits that he has no objection, if a direction is given to the authority concerned to consider the representation of the Petitioner in accordance with law within a stipulated period of time.

6. Considering the submissions made by the respective parties and without expressing any opinion on the merits of the case, this Court disposes of the writ petition at the stage of admission with a direction to the Opposite Parties No.1 and 2 to consider the representation of the Petitioner dated 11.10.2022 under Annexure-8 taking into consideration Annexures-4, 5 & 6 in accordance with law within a period of eight weeks from the date of production of certified copy of this order. It is needless to mention here that the representation of the Petitioner shall be considered and disposed of by passing a speaking and reasoned order. Any decision so taken on the said representation shall be communicated to the Petitioner within a period of two weeks thereafter.

7. Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge