

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAC) No.791 of 2019

Ashoka Kumar Sahu

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

10.10.2022

Order No

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard learned counsel for the Petitioner and learned counsel for the Opposite Parties.
3. The Petitioner has filed the present Writ Petition with the following prayer:-

"In view of the aforesaid facts and circumstance of the case and considering the grounds and averments made therein, this Hon'ble Tribunal may kindly be graciously pleased to direct the appropriate authorities to grant the benefit of RACP/MACP inclusive of increment and other consequential service benefit in the scale of pay of Rs. 28, 200/- instead of Rs. 25,200 to the applicant as per the Orissa Revised Scale of Pay Rules, 2017 as he is entitled to, having already completed more than 10 years of service.

And further this Hon'ble Tribunal may be pleased to direct the authorities to consider the case of the Applicant for sanction and granting the benefit of RACP/MACP which he is entitled to as per the Representation submitted under Annexure-1 in consonance to the notification of the Finance Dept did-20/09/2017 as indicated in the aforesaid resolution which is annexed as Anenxure-3 whereupon it is further humbly submitted this Hon'ble Tribunal may kindly be pleased enough to consider, in the similar circumstances, the sepoy's like the applicant of other Battalions who are extended the benefit and the

documents collect under RTI is enclosed to this application as Annexure-4.

In view of the aforesaid context of the matter the Hon'ble Tribunal considering the entirety of the facts and circumstances may kindly be pleased to direct the authorities to consider the case of the applicant in consequent upon the resolution passed under Annexure 3 and the documents enclosed under Annexure- 4, hence the applicant is standing in similar footing.

And this Hon'ble Tribunal may pass any other appropriate order/orders, direction/directions as deem just and proper.”

4. Learned counsel for the Petitioner further submits that through highlighting his grievances, the Petitioner has filed an application at Annexure-1 to the Writ Petition before the O.P. No.3, but till date nothing has been done in the matter. In such background, learned counsel for the Petitioner prays that a direction be issued to Opposite Party No.3 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.3 to take a decision on the above noted petition taking into account Annexure-3 & 4 within a period of three (3) months from the date of receipt of this order and communicate the result of such exercise to the Petitioner.

6. The Writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha