

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32485 of 2022

Damodar Sahoo

....

Petitioner

Mr. P.K. Mohapatra, Advocate

-versus-

State of Odisha & Others

....

Opp. Parties

Mr. Arnav Behera, ASC

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

09.12.2022

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, humbly prayed that this Hon’ble Court may graciously be pleased to:-

- (i) *direct the opp. parties to grant similar benefits of Grade pay of R.4600/- and 4800/- towards 2nd and 3rd financial upgradation w.e.f. 01.01.2013 and 30.11.2013 on completion of 20 and 30 years of service under RACPs in pursuance of the Govt. Resolution dated 6.2.2013 and order dt. 20.02.2018 as has been given to similarly situated persons vide Annexure-3 & 5 in the light of the principles decided in O.A. No.434/2016, 550/2016, 551/2016 and batch, disposed of vide order dt. 20.01.2017 and accordingly his pay and pension be revised and the accrued arrear be released and paid to the petitioner within a stipulated period;*
- (ii) *Pass such other order(s)/direction(s) as would be deem fit and proper in the bonafide interest of justice.”*

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed representation before the Opposite Party No.3 under Annexure-6, but the same is still pending before the said Opposite Party and the said Opposite Party has 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 Party No.3 to consider the representation of the Petitioner under Annexure-6 taking into consideration the Annexures-3, 4 and 5 in accordance with law within a period of six 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