

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No. 33188 of 2022

<i>Bijay Kumar Samal</i>		<i>Petitioner</i>
		<i>Mr. B. Rout, Advocate</i>
	Vs.	
<i>State of Odisha & Ors.</i>		<i>Opposite parties</i>
		<i>State Counsel</i>

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

14.12.2022

Order No.

1

This matter is taken up by hybrid mode.

2. Heard learned counsel for the petitioner.
3. The petitioner has filed this writ petition seeking direction to the opposite parties to modify the impugned order dated 17.02.2015 at Annexure-5 by granting promotional grade pay of Rs.4600/- instead of Rs.4200/- at the stage of 3rd Financial Up-gradation under RACP to the petitioner on completion of 30 years of continuous service with all consequential service and financial benefits.
4. Learned counsel for the petitioner contended that the reasons for non-extension of such benefit has been considered in the case ***State of Odisha and another v. Bihari Lal and others*** (W.P.(C) No.2831 of 2016 disposed of on 27.06.2016), to which learned State Counsel has no objection.
5. In course of hearing, learned counsel for the petitioner states that the petitioner may be permitted to move a fresh representation highlighting his grievance before the authority so that the same can be considered in the light of the ratio decided by

this Court in ***Bihari Lal*** (supra).

6. Considering the limited nature of grievance of the petitioner, this Court directs the petitioner to file a fresh representation within a period of fifteen days from today ventilating their grievances before the authority. In the event the petitioner files such representation along with the judgment passed by this Court in ***Bihari Lal*** (supra), the authority shall consider and pass appropriate order taking into consideration the ratio decided in ***Bihari Lal*** (supra) within a period of two months thereafter.

7. With the aforesaid observation and direction, the writ petition is disposed of.

Issue urgent certified copy as per rules.

Ashok

(DR. B.R. SARANGI)
JUDGE

