

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.41517 of 2021

Gopabandhu Swain

.... ***Petitioner***
Mr.Prafulla Kumar Mohapatra,
Advocate

-versus-

State of Odisha and others

.... ***Opposite Parties***
Mr. S. Jena,
Standing Counsel for S.& M.E. Deptt..

CORAM:
JUSTICE A.K.MOHAPATRA

ORDER
05.01.2022

Order No.

01. 1. Heard learned counsel for both the parties.
2. Petitioner has filed the present writ petition for a direction to the Opposite Parties to consider the case of the Petitioner for grant of similar benefits by antedating promotion and disbursing the arrear salary w.e.f. 20.3.1996 to 22.6.2006 at par with T.G. scale of pay in the light of the benefits granted to similarly situated persons under Annexure-5 within a stipulated period. Learned counsel for the Petitioner submits that Petitioner has filed a representation before the Opposite Party No.1, which is still pending consideration.
3. Mr. S. Jena, learned Standing Counsel for School and Mass Education Department submits that he will have no objection if a direction is given to the Authority for consideration of the representation of the Petitioner if there is no other legal impediment.

4. Having heard learned counsel for both the sides, this Court disposes of the writ petition with a direction to the Commissioner-cum-Secretary, School and Mass Education Department, Govt. of Odisha, Opposite Party No.1 to dispose of the representation of the Petitioner dated 23.04.2021 under Annexure-6 within a period of twelve weeks from the date of production of certified copy of this order. In such event, Opposite Party No.1 shall consider the case of the Petitioner in accordance with law and allow the benefits claimed by him, if there is no other legal impediment, by passing a reasoned and speaking order. Decision so taken on the representation of the Petitioner shall be communicated to the Petitioner within ten days of such decision. It is made clear that this Court has not expressed any opinion on the merits of the case.

5. With the above direction, the writ petition stands disposed of.

(A.K. Mohapatra)
Judge