

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.41542 of 2021

Gitarani Mohanty

.... ***Petitioner***
Mr. S.C. Dev, *Advocate*

-versus-

State of Odisha and others

.... ***Opp. Parties***
Mr. B. Mohanty,
Standing Counsel for S. & M.E.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

07.01.2022

Order No.

01.

1. The present writ petition has been filed by the Petitioner seeking for a direction to the Opposite Parties to allow the petitioner to avail the benefit of trained graduate scale of pay w.e.f. 04.05.2016 on attaining the age of 48 years in the light of the judgment passed by this Court in the case of ***Radharani Samal vs. State of Orissa***, reported in ***2017 (I) ILR-CUT-546*** within a stipulated period of time.

2. Learned counsel appearing for the School and Mass Education Department submits that he has no objection, if the Authorities are directed to consider fresh representation of the Petitioner in the light of the judgment cited (supra) in accordance with law.

3. Having heard learned counsel for the parties, this Court directs the Petitioner to file a fresh representation before the Commissioner-cum-Secretary to Government, School and Mass Education Department-Opposite Party No.1 and Director of Secondary Education, Odisha-Opposite Party No.2 within a period of fifteen

days from today. If such a representation is filed by the Petitioner, the same shall be considered in the light of judgment in the case of ***Radharani Samal vs. State of Orissa*** (*supra*) within a period of twelve weeks from the date of production of a certified copy of this order by the Petitioner. It is needless to mention here that the Opposite Party No.1 shall pass a reasoned and speaking order on the representation of the Petitioner. The decision taken on the representation of the Petitioner shall be communicated to the Petitioner within a period of ten days thereafter.

4. With the aforesaid direction, the writ petition stands disposed of.

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

U.K.Sahoo

