

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No. 41871 of 2021

Shankar Prasad Sahu

.....

Petitioner

Mr. A.K. Jena, Advocate

Vs.

State of Odisha & Ors.

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

03.02.2022

Order No.

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This matter is taken up by video conferencing mode.

2. Heard learned counsel for the petitioner.
3. The petitioner has filed this writ petition seeking direction to the opposite parties opposite parties no.3 and 4 to pay the grade pay of Rs.5400/- towards 3rd RACP instead of Rs.4800/- after completion of 30 years of service w.e.f. 28.09.2015 and pay all consequential 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 grievances 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 his 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 three months thereafter.

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

As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed, vide Court's Notice No.4587 dated 25th March, 2020, as modified by Court's notice no. 4798 dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

Arun

(DR. B.R. SARANGI)
JUDGE