

02. 28.06.2019

Heard Mr. P.K. Bhuyan, learned counsel for the petitioner and Mr. A.K. Mishra, learned Addl. Government Advocate.

The petitioner has filed this application stating that he has received block grant in view of the order dated 24.08.2015, but that has been confined to three years in view of clause-4 of the Grant-in-Aid Order relying upon the judgment of the apex Court in the case of Union of India v. Tarsem Singh, 2008 (8) SCC 648.

It is contended that similarly situated persons have already been extended with the benefits of full arrear salary, but the petitioner has been discriminated.

Mr. A.K. Mishra, learned Addl. Government Advocate raised preliminary objection with regard to maintainability of the writ petition and contended that the order was passed in the year 2015 and the writ petition has been filed in the year 2019 and, as such, the writ petition suffers from delay and laches. If the petitioner claims for grant-in-aid, that has to be computed by the competent forum in view of the provisions contained under Section 24-B of the Orissa Education Act.

Considering the contention raised by learned counsel for the parties and after going through the records, this Court is not inclined to entertain this

application. However, in course of hearing, learned counsel for the petitioner states that the petitioner may be permitted to withdraw the writ petition with liberty to approach the appropriate forum in accordance with law.

Prayer is allowed.

The writ petition stands disposed of as withdrawn with the liberty aforesaid.

Ashok

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(DR. B.R. SARANGI)
JUDGE