

02. 31.08.2020 Due to outbreak of COVID-19, this matter is taken up through Video Conferencing.

Heard Mr. S. Mishra, learned counsel for the petitioner and Mr. B. Satpathy, learned Standing Counsel for School and Mass Education Department.

The petitioner has filed this writ petition seeking direction to opposite parties to allow the petitioner avail the benefit of trained graduate scale of pay w.e.f. 18.07.2015 on attaining the age of 48 years as per the ratio decided in the case of ***Radharani Samal vrs. State of Orissa***, 2017(I) ILR-CUT-546 with all consequential benefits.

Mr. S. Mishra, learned counsel for the petitioner contended that similar question has already been adjudicated by the learned Single Judge in ***Radharani Samal vrs. State of Orissa***, 2017(I) ILR-CUT-546 which has been affirmed by the Division Bench of this Court by dismissing Writ Appeal No.176 of 2017 preferred by the State vide order dated 30.04.2019. Therefore, the case of the petitioner is squarely covered by the judgment passed by this Court in ***Radharani Samal*** (supra).

Mr. B. Satpathy, learned Standing Counsel for School and Mass Education Department admits the contentions raised by the learned counsel for the petitioner. He contended that direction may be issued to consider the case of the petitioner in the light of judgment passed by this Court in ***Radharani Samal*** (supra) which has been affirmed by the Division Bench of this Court vide order dated 30.04.2019 by dismissing Writ Appeal No.176 of 2017 preferred by the State.

Considering the contentions raised by learned counsel for the parties and after going through the records, this Court disposes of the writ petition directing the opposite parties to consider the case of the petitioner in the light of the ratio decided by this Court in ***Radharani Samal*** (supra) as expeditiously as possible preferably within a period of four months from the date of production of this order.

Ajaya

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(DR. B.R. SARANGI, J)