



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.21230 of 2024

Manoranjan Pattanaik

....

Petitioner

Mr. Anil Kumar Das, Advocate

-Versus-

State of Odisha & others

....

Opposite Parties

Mr. H.K. Panigrahi, ASA

Mr. S.K. Patra, SC

For A.G., Odisha

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

31.08.2024

Order No.

01. 1. Heard learned counsel for the respective parties.
2. Instant writ petition is filed by the petitioner for a direction to the opposite parties and in particular, opposite party No.1 for sanction and disbursement of 3rd RACP benefits on completion of 30 years of service in the post of PEO with a Grade Pay of Rs.5400/- with effect from 31st March, 2016 in his favour on the grounds stated therein.
3. Learned counsel for the petitioner submits that the petitioner is entitled to such financial upgradation in the light of the decision in the **State of Odisha and another Vrs. Bihari Lal Barik and others** decided in W.P.(C) No. 2831 OF 2016 on 27.06.2016 and in view of the Government order under Annexure-3. It is further submitted that with such orders, RACP to be granted in favour of the petitioner and pension accordingly refixed and revised with release of consequential financial and pensionary benefits to him.



4. In course of hearing, it is brought to the notice of the Court that the petitioner has submitted a representation i.e. Annexure-6.

5. Recording the submission of Mr. Panigrahi, learned ASC for the State and contention of the petitioner and learned counsel for the petitioner appearing for him referring to Annexure-5 as similar relief has been extended to the others by the Government and since the plea is for 3rd financial up-gradation with a Grade pay of Rs.5400/-, the Court is of the view that such grievance pending through Annexure-6 said to have been received by opposite party No.1 should be directed to be duly examined followed by an order within a stipulated period.

5. Accordingly, it is ordered.

6. In the result, the writ petition stands disposed of with a direction to opposite party No.1 to consider and examine Annexure-6 with reference to Annexure-5 vis-à-vis entitlement of 3rd financial up-gradation with a Grade pay of Rs.5400/- payable to the petitioner with effect from 31st March, 2016 and to take a decision thereon with consequential orders with regard to revision as to the pension. It is further directed that such an exercise shall be concluded by opposite party No.1 at the earliest preferably within a period of eight weeks from the date of receipt of a certified copy of this order keeping in view the decision of this Court in **Bihari Lal Barik** (supra).

7. Urgent certified copy of this order be issued as per rules.

Signature Not Verified

Digitally Signed
Signed by: BALARAM BEHERA
Designation: Personal Assistant
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 03-Sep-2024 11:24:21



(R.K. Pattanaik)
Judge