
(2024) 02 OHC CK 0154

In the Orissa High Court

Case No : Writ Petition (C) No.28600 Of 2011

Alok Narayan Tripathy Vs State Of Odisha & Others ?

Date of Decision : 16-02-2024

Acts Referred:

Citation : (2024) 02 OHC CK 0154

Hon'ble Judges : M.S. Raman, J

Bench : Single Bench

Advocate : Bhakta Ranjan Barick, A.R. Dash

Final Decision : Disposed Of

Judgement

M.S. Raman, J

1. This matter is taken up through hybrid mode.
2. Heard Mr. B.R. Barick, learned counsel for the petitioner and Mr. A.R. Dash, learned Additional Government Advocate appearing for the State.
3. The present writ petition has been filed with the following prayer:-
"It is therefore, prayed that this Hon'ble Court may be graciously pleased to:-
 - i) admit the Writ application;
 - ii) call for the Records;
 - iii) issue Rule Nisi calling upon the Opp.Parties as to why the advancement scale of pay on completion of 15 years in a same post or grade w.e.f. 01.12.1998 and assured career progression on completion of 25 years i.e. w.e.f. 01.12.2008 shall not be sanctioned and paid to the Petitioner;
 - iv) if the Opp.Parties do not show cause or show insufficient cause issue a writ in the nature of Mandamus or any other appropriate writ/writs, order/orders, direction/directions, in directing the Opp.Parties to sanction and paid the advancement scale of pay on completion of 15 years w.e.f. 01.12.1998 and Assured career Progression on completion of 25 years w.e.f. 01.12.2008 to the

petitioner within a time to be stipulated by this Hon'ble Court."

4. In course of hearing, learned counsel for the petitioner submitted that the petitioner has completed 15 years of service from the date of appointment and he is entitled to get the benefit of Time Bound Advancement scale of pay from that date. He further submitted that this Court in similar cases, i.e., in *Jyostanamayee Behera v. State of Orissa and others*, 2000 (II) OLR-544 and *Balabhadra Sarangi v. State of Orissa and others*, 2003(I) OLR-24, has allowed those petitioners to get the aforesaid benefit. Therefore, the petitioner is entitled to get such benefit.

5. Mr. A.R. Dash, learned Additional Government Advocate for the State submitted that the aforesaid proposition of law and the judgments cited supra are applicable from the date of approval only.

6. In view of the above submission, this Court disposes of the writ petition with a direction to the opposite parties to pay the Time Bound Advancement Scale of Pay to the petitioner from the date of his entitlement within a period of four weeks from the date of receipt of a certified copy of this order.

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