

(2024) 04 OHC CK 0300
In the Orissa High Court
Case No : Writ Petition (C) No.9572 Of 2024

Pitabas Bagarty

APPELLANT

Vs

State Of Odisha

RESPONDENT

Date of Decision : 30-04-2024

Acts Referred:

Citation : (2024) 04 OHC CK 0300

Hon'ble Judges : A.K. Mohapatra, J

Bench : Single Bench

Advocate : Prafulla Kumar Mohapatra, D.Mohapatra, S.K.Patra

Final Decision : Disposed Of

Judgement

A.K. Mohapatra, J

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Mr. Mohapatra, learned Counsel for the Petitioner files a copy of the judgment dated 01.03.2023 passed by this Court in W.P.(C) No.16209 of 2020 and submits that the present Writ Petition is covered by the said judgment of this Court.
3. A copy of the said judgment on being supplied, the submission of Mr. Mohapatra is not disputed by Mr. S. Das, learned AGA for the State-Opposite Parties.
4. This Writ Petition being identical to W.P.(C) No.16209 of 2020 with identical prayer and the impugned Order in W.P.(C) No.16209 of 2020 as well as the present Writ Petition being similar, the same is allowed in the light of the judgment pronounced by this Court on 01.03.2023 in W.P.(C) No.16209 of 2020.
5. Accordingly, the 2nd paragraph of the Order dated 25.02.2020 under Annexure-9, vide which Petitioner's Grade Pay of Rs.6,600/-in PB-3, Scale of Pay of Rs.15,600-39,100/- was reduced/revised to Grade Pay of Rs.5400/- in PB-2, Scale of Pay of Rs.9300-34,800/-with effect from 03.01.2013, is hereby quashed.

6. Since the Petitioner has already been superannuated in the meantime, the Opposite Parties are directed to allow the Petitioner Grade Pay of Rs.6,600/- in PB-3, Scale of Pay of Rs.15,600- 39,100/-with effect from 01.01.2013 in terms of 1st paragraph of the impugned Order dated 25.02.2020, as directed by the Tribunal vide Order dated 15.01.2019 in O.A. No.192 of 2019 and batch and release the differential salary and pension of the Petitioner along with arrears within a period of four weeks from the date of communication of the certified copy of this Order.

7. With the aforesaid observations/ directions the Writ Petition is disposed of.

8. Issue urgent certified copy of this order as per Rules..

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