



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.6294 of 2026

Abdul Hafiz

.....

Petitioner

Represented by Adv. -
Saroja Kanta Samal

-versus-

State Of Orissa & Ors.

.....

Opposite Parties

Represented by Adv. -
Mr. D.K.Sahoo, A.G.A.

CORAM:

**THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA**

ORDER

26.02.2026

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel appearing for the Petitioner as well as learned Additional Government Advocate appearing for the State- Opposite Parties. Perused the writ application as well as the documents annexed thereto.
3. By filing the present writ application, the Petitioner has prayed for the following relief:-

“Therefore, in view of the above said facts and circumstances, it is humbly prayed that this Hon'ble Court may be graciously pleased to issue notice to the Opp. Parties and after hearing the parties may be pleased to direct the Opp. Parties, more particularly to Opp. party No.3, District Education Officer, Kendrapara, to count his services from the initial date of his joining i.e 01.08.1990 instead of date of passing C.T training for the purpose of Revised Assured Career Progression (RACP) by suitably modifying the order dated 26.03.2018 of the District Education Officer,



Kendrapara ,O.P No.3, under Annexure-7, wherein the petitioner has been allowed only the 2nd RACP by counting the period of 10 years from the date of passing the C.T examination instead of counting the period from the initial date of joining i.e from 01.08.1990 and by adjusting the up-gradation under ACP towards 1st up-gradation under RACP and this Hon'ble Court may further direct the Opp. Parties to allow 3rd MACP to the petitioner by counting the period service from the date of joining instead of from the date of passing the C.T examination and to allow the grade pay of Rs. 2800/- after 1st up-gradation under RACP, Grade pay of Rs. 4200/- after 2nd upgradation under RACP and Grade Pay of Rs. 4600/- as third up-gradation under MACP and to fix the pay of the petitioner in corresponding appropriate cell & level under ORSP, Rules, 2017.

And/or to pass such other order(s) as this Hon'ble Court deem just and proper in the facts of the case.”

4. Learned counsel for the Petitioner at the outset contended that initially the Petitioner was appointed as a Matric C.T Teacher and the date of approval has been shown as 01.08.1990 under Annexure-2 to the writ application. Thereafter, the Petitioner acquired the C.T qualification in the year 1994 which is evident from the document at Annexure-3. While this was the position, the Petitioner continued in service and he became eligible to get RACP benefits.

5. The sole grievance of the Petitioner in the present writ application is that while extending the benefit under RACP scheme the Opposite Party-State has taken into consideration the date of acquisition of the qualification as the date from which the Petitioner has entered into government service. Challenging such decision of the government, learned counsel for the Petitioner referred to the resolution dated 05.10.2015 at Annexure-6 and submitted before



this Court that it has been clearly stipulated that the transition period from untrained to trained teacher shall be considered in terms of the resolution of the Finance Department dated 06.02.2013. Accordingly, the Petitioner has already approached the Opposite Party No.1 by filing a detailed representation taking therein all the grounds on 20.06.2025 at Annexure-13. He further contended that such representation is pending before the Opposite Party No.1 for consideration.

6. Learned counsel for the State on the other hand submitted that the Opposite Party No.1 is the competent authority to take a decision with regard to the grievance of the present Petitioner. He further contended that in the event the Petitioner has already approached as has been pleaded in the writ application and that his representation is still pending before the Opposite Party No.1 for consideration, he will have no objection in the event this Court directs the Opposite Party No.1 to take a lawful decision on the representation of the Petitioner within a stipulated period of time.

7. Having regard to the submissions made by learned counsels appearing for both sides, on a careful examination of the background facts, further keeping in view the resolution dated 05.10.2015 at Annexure-6, letter dated 02.12.2015 at Annexure-8 series and the Finance Department Circular dated 06.02.2013, this Court deems it proper to dispose of the writ application at the stage of admission by directing the Opposite Party No.1 to consider and dispose of the representation of the Petitioner under Annexure-13 dated 20.06.2025 strictly in accordance with law and take into consideration the aforesaid circulars and letters within a period of eight weeks from the date of communication of a certified copy of



this order by the Petitioner. It is needless to mention here that the representation of the Petitioner shall be disposed of by passing a speaking and reasoned order. The final decision so taken by the Opposite Party No.1 be also communicated to the Petitioner within ten days from the date of taking such a decision.

8. With the aforesaid observations/ directions, the writ application stands disposed of.

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

(A.K. Mohapatra)
Judge

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