



IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.20250 of 2025

Prafulla Kumar Dash

.....

Petitioner

Represented By Adv. -
Mohit Kumar Pati

-versus-

1) State Of Odisha and others

.....

Opposite Parties

Represented By Adv. –
Mr.D.N.Lenka, AGA
Mr.S.K.Patra, Standing
Counsel for A.G.Odisha

CORAM

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

ORDER

24.07.2025

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner, learned Additional Government Advocate appearing for the State and Mr. S.K. Patra, learned Standing Counsel for A.G. (A&E), Odisha. Perused the Writ Petition as well as the documents annexed thereto.
3. The Petitioner has filed the present writ application with the following prayer:

“The Petitioner therefore prays that your Lordships may graciously be pleased to direct the Opp.Party No.1 to sanction and disbursement of the Grade Pay at the rate of Rs.4200/- under 1st RACP, Rs.4600/- under 2nd RACP and Rs.4800/- Grade Pay under 3rd RACP w.e.f. 01.01.2013 in the scale of pay of Rs.9300-34,800/- as like Santosh Kumar Biswal



Case vide order dated on 30.03.222 in W.P.(C) No.23477/2021 and compliance of the aforesaid order dated 30.06.2025 by the Opp.Party No.1 under Annexure-5 ad the differential arrear financial benefits be paid to the Petitioner within a stipulated time limit in consideration to Annexure-6. And pass such order/directions as this Hon'ble Court may deem fit and proper."

4. It is submitted by the learned counsel for the Petitioner that keeping in view the order dated 30.03.2022 passed in W.P.(C) No.8826 of 2021 wherein the order passed in similar Writ Petition concerning same department including the case of Santosh Kumar Biswal in W.P.(C) No.23477 of 2021 the authorities have extended the similar benefit to the similarly situated persons. So far the present Petitioner is concerned his claims have not been considered in an illegal and arbitrary manner by virtue of order under Annexure-4. It is also submitted that the orders passed in the above noted cases similar benefits have been extended in favour of similarly situated persons under Annexure-5 to the Writ Petition.

5. Learned Additional Government Advocate on the other hand contended that the Petitioner has not approached the Opposite Parties before approaching this Court. Learned Additional Government Advocate further contended that in the event this Court directs the Petitioner to approach Opposite Party no.1 taking therein all the grounds along with all supporting documents including the orders passed in similar cases, he has no objection to the same.

6. In reply to the aforesaid submissions, learned counsel for the Petitioner submitted that the Petitioner has filed a



representation before the Opposite Party No.1 under Annexure-6 to the Writ Petition and the Opposite Party No.1 be directed to consider the same taking into consideration the law laid down in the case of ***Biharilal Barik vs. State of Odisha*** and other connected cases disposed of by this Court including one ***Santsoh Kumar Biswal vs. State of Odisha and others in W.P.(C) No.23477 of 2021*** within a stipulated period of time.

7. Having heard learned counsel appearing for the respective parties and on a careful examination of the background facts of the present case as well as keeping in view the law laid down by the Hon'ble Supreme Court in the case of *Bihari Lal Barik* (supra) and in many cases of this Court, this Court deems it proper to dispose of the Writ Petition directing the Opposite Party No.1 to consider the representation of the Petitioner under Annexure-6 to the Writ Petition taking into consideration Annexures-4 & 5 within a period of two months from the date of communication of the certified copy of this order. The final decision so taken be communicated to the Petitioner within two weeks thereafter.

8. With the aforesaid observation, the writ application stands disposed of.

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

(A.K. Mohapatra)
Judge

RKS