

IN THE HIGH COURT OF ORISSA: C U T T A C K

( ORIGINAL JURISDICTION CASE )

O.J.C. NO. 5855 OF 1998

Code - 5  
CLASSIFICATION:

IN THE MATTER OF:

An application under Article 226 of the Constitution of India ;

A n d

recd in Court  
B.S.

IN THE MATTER OF:

An application under Articles 14 and 16 read with Article 39(d) of the Constitution of India;

A n d

Jacobin  
22-4-98  
A.S.C.  
22-4-98

IN THE MATTER OF:

An application for payment of the petitioner's salary in the scale of pay of Rs.2200-6000/- meant for the post of lecturers;

A n d

IN THE MATTER OF:

An application challenging the illegal and arbitrary action of the opp. parties 1 and 2 in fixing the pay of the petitioner in the scale of pay of Rs.2000-3500/- which pay scale is meant for the post of junior lecturers;

A n d



T.C. Affected  
R.H.

IN THE MATTER OF:

DR. SIDDHARTHA KUMAR SAHU, aged about 37 years, son of Dr. Ananta Chandra Sahu, At: Alisabazar, Po. Chandinichouk, Dist. Cuttack, at present serving as a lecturer in Botany in Christ College, At/Po. Dist. CUTTACK.

PETITIONER

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VERSUS

1. State of Orissa represented through the Principal Secretary to Government, Department of Higher Education, State Secretariat Building, Bhubaneswar, Dist. Khurda.

2. Director of Higher Education Heads of Departments Building, Bhubaneswar, Dist. Khurda.

3. Governing Body of Christ College represented through the Secretary, At/Po. Dist. Cuttack.

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OPPOSITE PARTIES



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Sl. No.	Date of Order	ORDER WITH SIGNATURE	Office note as in action (if any) taken on Order
952000		<p>1. Heard Mr. D.K. Bery, learned counsel for the petitioner and learned counsel for the State.</p> <p>2. The petitioner who is working as a lecturer in Botany in Christ College, Cuttack, has filed this writ application praying for a direction to the O.Ps. to extend him the scale of pay of Rs.2200-4000/-, which is meant for the Lecturers serving in Non-Government Aided Colleges either covered or eligible to be covered under the Direct Payment Scheme prior to 1.4.1989.</p> <p>3. The case of the petitioner in brief is that on being selected was appointed against 7<sup>th</sup> post of Lecturer in Botany in Christ College. It is stated that on the vacancy caused in the 5<sup>th</sup> post of Lecturer in Botany due to the death of the incumbent of that post, namely, Dr. G.C. Bairiganjan and on elevation of the incumbents continuing against 6<sup>th</sup> and 7<sup>th</sup> posts to 5<sup>th</sup> and 6<sup>th</sup> posts respectively, the 7<sup>th</sup> post fell vacant against which the petitioner was appointed vide Annexure-4 and joined on 25.10.1991. The appointment of the petitioner was duly approved by the Director vide his office order no.25439 dated 16.5.1992 (Annexure-5/A) and while approving such appointment, the scale of pay of the petitioner was fixed at Rs.2,000-3,500/-.</p>	

