

ITEM NO.42

COURT NO.7

SECTION XIA

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C).....CC No(s).  
1566/2017

(Arising out of impugned final judgment and order dated 16/10/2015  
in WPC No. 15852/2012 passed by the High Court Of Orissa At  
Cuttack)

STATE OF ORISSA AND ANR.

Petitioner(s)

VERSUS

JAYSHREE CHHOTRAY

Respondent(s)

(with appln. (s) for c/delay in filing SLP)

Date : 23/01/2017 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE KURIAN JOSEPH  
HON'BLE MR. JUSTICE A.M. KHANWILKAR

For Petitioner(s) Ms. Sharmila Upadhyay, Adv.  
Mr. Sarvjit Pratap Singh, Adv.

For Respondent(s)

UPON hearing counsel the Court made the following  
O R D E R

Delay condoned.

The learned counsel for the petitioners, though persuasively submitted that based on the Judgment of this Court in Civil Appeal No. 796 of 2008 in State of Orissa & Ors. Vs. Prabhawati Padhihari, the respondent herein cannot claim equity on the ground that others who are similarly situated, have been granted UGC scale, we are afraid, in the peculiar facts of this case, the contention cannot be appreciated.

It is not in dispute that when the respondent was originally appointed, she was allowed to draw UGC scales. That apart, in

the petition filed by the respondent before the High Court in O.J.C. No. 2279 of 1992, there was a peremptory direction for payment of salary in the UGC scale.

In that view of the matter, in the peculiar facts of this case, we are not inclined to interfere with the impugned Judgment passed by the High Court. The Special Leave Petition is, accordingly, dismissed.

Pending interlocutory applications, if any, stand disposed of.

(Jayant Kumar Arora)  
Court Master

(Renu Diwan)  
Assistant Registrar