



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.21 of 2024

State of Odisha & Others

.... Appellants

Mrs. S. Pattanayak, AGA

-versus-

B.K. Raghavan & Others

.... Respondents

CORAM:

JUSTICE KRISHNA SHRIPAD DIXIT

JUSTICE CHITTARANJAN DASH

ORDER

27.02.2026

Order No.

01.

I.A. No.174 of 2024

This appeal by the State and its functionaries seeks to call in question a learned Single Judge's order dated 05.09.2022, whereby Respondent-employees' W.P.C (OAC) No.2478/2017 having been favoured, relief has been accorded to him in terms of order dated 20.12.2018 entered in W.P.(C) No.13852/2005, which had a matchable fact matrix. We are told at the Bar that in the said W.P.(C), a direction has been issued to the authorities to reckon pre-regularization service as well for the purpose of determining the qualifying service for terminal benefits.

2. Having heard learned AGA-Mrs. Pattanayak for the Appellants and having perused the appeal papers, we decline



indulgence in the matter, inasmuch as the appeal has been filed with enormous delay of 711 days. Though an application in I.A. No.174 of 2024 supported by an affidavit has been filed explaining the delay of 463 days, the other part of the long delay remains unexplained. Even otherwise, explanation offered is not plausible. The sages of law has said that the law relating to limitation is a statute of peace and repose and therefore, Courts do not come to the aid of sleepy and tardy.

3. The other ground, as to why we decline indulgence in the matter, is that the impugned order has been structured in terms of a Co-ordinate Bench's order dated 20.12.2018 entered in a similar case i.e. W.P.(C) No.13852/2005. The said order was challenged by the Appellants herein before the Apex Court in SLA(C) No.7121/2020 between State of Odisha v. Nityananda Panigrahi, which came to be negatived on 09.09.2021. However, the present W.P.(C) No.2478/2017 is filed way back in the year 2017. Therefore, the order of the learned Single Judge becomes unassailable.

In the above circumstances, appeal being devoid of merits is rejected in *limine* with a direction to the Appellants to implement the impugned order of the learned Single Judge within an outer limit of three months, failing which they run the risk of being hauled up for contempt.

A copy of this order shall be sent by speed post to the Respondent-employees immediately.



Web copy of this order to be acted upon by all concerned.

(Krishna Shripad Dixit)
Judge

(Chittaranjan Dash)
Judge

Madhusmita