



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.1375 of 2023

Manoj Kumar Kar

....

Petitioner

*Mr. M. Mohanty, Sr. ,
Adv. along with Ms. S.
Mohanty, Adv*

-versus-

***Odisha Gramya Bank, BBSR
& Another***

Opp. Parties

*Mr. M.K. Mishra, Sr.
Adv. along with Mr. S.
Senapati, Adv.*

COROM:

THE HON'BLE MR.JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

04.05.2026

Order No

- 5.** 1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel appearing for the parties.
3. Learned Sr. Counsel appearing for the Petitioner contended that since the order of dismissal passed against the Petitioner was quashed by this Court in its judgment dt.21.10.2011 under Annexure-2 and in the challenge made to the said order before the Apex Court, the Apex Court never stayed the order dt.21.10.2011, Petitioner should have been re-instated in his services pending finalisation of the proceeding.



3.1. It is contended that only after dismissal of the SLP so filed by the Bank vide order dt.20.04.2022 under Annexure-3, the Bank started the proceeding from the stage of inquiry and the proceeding is yet to be finalised.

3.2. However, it is contended that, since the order of dismissal was set aside by this Court in its judgment dt.21.10.2011 and such order of this Court was never stayed by the Apex Court on the face of the filing of appeal in Special Leave to Appeal No. 6411 of 2012, in view of the decision of the Hon'ble Apex Court in the case of **Anantdeep Singh Vs. High Court of Punjab and Haryana at Chandigarh & Another, 2024 Supreme (SC) 767**, decision of this Court reported in the case of **Sri Dillip Kumar Swain Vs. P.O., Central Govt. Industrial Tribunal-cum-Labour Court, Orissa & Another, 2023 (II) ILR – CUT- 76** and decision of the Hon'ble Apex Court in the case of **Deepali Gundu Surwase Vs, Kranti Junior Adhyapak & Others, Civil Appeal NO.6767 of 2013, disposed of on 12.08.2013**, Petitioner is eligible and entitled to get the benefit of salary for the period from dt.21.10.2011 till he attained the age of superannuation on 31.05.2021.

4. Learned Sr. Counsel appearing for the Opp. Party-Bank on the other hand prays for some time to come prepared so far as release of salary is concerned and



the decisions relied on by the learned Sr. Counsel appearing for the Petitioner.

5. On the request made by Mr. M.K. Mishra, learned Sr. Counsel appearing for the Opp. Party, list this matter on 12.05.2026.

(Biraja Prasanna Satapathy)
Judge

Sangita