



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.1914 of 2023

Abdul Khalil Khan

.....

Petitioner

Represented by Adv. -
Sisir Kumar Purohit

-versus-

State of Odisha & Ors.

.....

Opposite Parties

Represented by Adv. –
Sasmita Nayak, A.S.C.

CORAM:

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

ORDER

23.03.2026

Order No.

07.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned counsel for the State-Opposite Parties.
3. In course of argument, learned counsel for the Petitioner referring to the judgment of a Coordinate Bench of this Court in ***Gopal Chandra Sethi v. The Executive Engineer, Balasore Electrical Division & Ors.*** reported in ***2016 (I) ILR-CUT-1146***, submitted before this Court that Passing of Departmental Accounts Examination is not an essential pre-condition to get the ACP benefits. Learned counsel for the Petitioner also referred to the judgment of this Court in ***Aswin Kumar Das v. The Executive Engineer, Balasore Electrical Division and another*** on the very same issue.
4. On perusal of the writ application it appears that the



Petitioner has been denied RACP benefits on the ground that he could not qualify the Departmental Accounts Examination and, accordingly, some amount which was paid under the RACP scheme is being recovered from the Petitioner.

5. Taking into consideration the aforesaid facts, learned counsel for the State is directed to obtain instruction with regard to the applicability of the judgment in ***Gopal Chandra Sethi***'s case (*supra*) to the facts of the present case.

6. List this matter in the week commencing 06.04.2026.

(A.K. Mohapatra)
Judge

Anil