



IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.4627 of 2026

Banabihari Behera

.....

Petitioner

Represented by Adv. -
Rashmi Kanta Acharya

-versus-

1) State Of Odisha

.....

Opposite Parties

- 2) Director, elementary Education
- 3) Accountant General
- 4) District Education Officer, Keonjhar
- 5) Block Education Officer, Hatadihi

Represented by Adv. –

Smt. S. Nayak, ASC

CORAM:

MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

24.02.2026

Order No.

01. 1. This matter is taken up through Hybrid mode.
2. Heard the learned counsel for the Petitioner as well as learned counsel for the State. Perused the writ application as well as the documents annexed thereto.
3. By filing the present writ application, the Petitioner seeks the following prayer.

“It is therefore prayed that this Hon'ble Court may graciously be pleased to admit the Writ petition, issue Rule NISI calling upon the Opp. Parties to show cause as to why appropriate direction shall not be issued to the Opp. Parties more particularly to the Opp. Party No.5 to consider his genuine case for grant of one increment on dtd.01.07.2017 on notional basis as per FDOM No.2392/F dtd.22.01.2025 under Annexure-3 in his favour taking into account his date of retirement on superannuation was dtd.30.06.2017.



And if the Opp. Parties do not show cause or show insufficient cause issue a writ in the nature of Mandamus directing the Opp. Parties more particularly to the Opp. Party No.5 to consider his genuine case for grant of one increment on dtd.01.07.2017 on notional basis as per FDOM No.2392/F dtd.22.01.2025 under Annexure-3 in his favour taking into account his date of retirement on superannuation was dtd.30.06.2017.

And further pass any Order/Orders or Direction/Directions as the Hon'ble Court may deem fit and proper;

And for this act of kindness the petitioner shall as in duty bound ever pray."

4. It is stated by the learned counsel for the Petitioner being aggrieved by non-granting of increment to the Petitioner, the Petitioner has already approached the Opposite Party No.5, the Block Education Officer, Hatadihi by filing a representation dated 10.11.2025 at Annexure-5 to the writ application. Since no decision has been taken on such representation and being aggrieved by such inaction of the Opposite Party No.5, the Petitioner has approached this Court by filing a present writ application.

5. Learned counsel for the State on the other hand contended that he will have no objection in the event the Petitioner granted liberty to approach the Opposite Parties for redressal of his grievance as he has not approached them as of now.

6. Having regard to the submission of the learned counsels appearing for the respective parties, on a careful examination of the materials on record, further taking into consideration, the nature of grievance involved in the present writ application, this Court disposes of the writ petition by directing that in the event any such representation is still pending and no final decision has been taken



thereon, the Opposite Party No.5 shall consider the representation of the Petitioner in accordance with law within a period of eight weeks from today and dispose of the same by passing a speaking and reasoned order within a period of eight weeks' from the date of communication of a copy of today's order. The final decision so taken be communicated to the Petitioner within ten days thereafter.

7. With the aforesaid observation and direction, the Writ Petition stands disposed of.

(Aditya Kumar Mohapatra)
Judge

Sisir