



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.5820 of 2026

Mohan Sundar Dakua

.....

Petitioner

Represented by Adv. -
Jyotirmay Gupta

-versus-

State Of Odisha & Ors.

.....

Opposite Parties

Represented by Adv. –
S.Behera, A.G.A.

CORAM:

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

ORDER

23.02.2026

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned Additional Government Advocate for the State-Opposite Parties. Perused the writ application as well as the prayer made therein.
3. The Petitioner has filed the present writ application with the following prayer:

“The petitioner therefore humble prays that the Hon'ble Court may be graciously pleased to admit this case, issue notice to opposite parties for show cause and after hearing both the sides may be pleased to issue a writ of Mandamus/certiorari by directing the opposite parties particularly to O.P.No.-1 and 4 to take immediate steps to grant the pension in favour of the petitioner in terms of the principles decided in the case of Judgment dated 12.01.2024 in W.P.(C) No. 17067 of 2023 (Hemanta Kumar Chhotaray -v- State of Odisha &



others) and batch of cases vide Annexure-5 within stipulated period with cost.

AND

Further be pleased to direct the Opp. Party No.1 to finalize the representation vide Annexure-6 within a stipulated period.

AND

Further be pleased to direct the Opp. Party No.1 to finalize the representation vide Annexure-6 within a stipulated period.”

4. It is stated by the learned counsel for the Petitioner that the issue involved in the present writ application has already been adjudicated in an identical matter by the coordinate bench in ***Rekhanjali Behera vs. State of Odisha and others*** decided in ***W.P.(C) No.32964 of 2025*** vide order dated 10.12.2025. In such view of the matter, learned counsel for the Petitioner contended that the Petitioner is entitled to the benefit at par with the abovenoted ***Rekhanjali Behera***. It was also contended that the learned coordinate bench has adjudicated a similar matter in ***Hemant Kumar Chhotaray vs. State of Odisha and others*** decided on 12.01.2025.

5. Learned counsel for the State on the other hand contended that the Petitioner has approached the Competent Authority for redressal of his grievance. In such view of the matter, learned counsel for the State contended that in the event this Court directs the Competent Authority to consider the grievance of the Petitioner, in the event the Petitioner approaches the Competent Authority, he will have no objection the same.

6. Taking into consideration the submission made by the learned counsel for the parties, keeping in view the principle of law laid down by the Hon'ble Supreme Court in ***Deokinandan Prasad***



vs. State of Bihar, reported in (1971) 2 SCC 330 as well as *D.S. Nakara vs. Union of India reported in AIR 1983 SC 130* laying down the principle that pension is not a boundary and that the delay in considering disbursal of the pensionary benefit is required to be dealt with strict action, this Court deems it proper to dispose of the present writ application by directing the Opposite Party No.1 shall consider the grievance of the Petitioner vide Annexure-6 and dispose of the same by passing a speaking and reasoned order within eight weeks thereafter, keeping in view the judgments referred to hereinabove. The final decision so taken by the Opposite party No.1 be communicated to the petitioner within ten days thereafter.

7. With the aforesaid observations and directions, the writ application stands disposed of.

(A.K. Mohapatra)
Judge

Anil