



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.5699 of 2026

Suresh Chandra Mahato

.....

Petitioner

Represented by Adv. –

Mr. Banshidhar Satapathy

-versus-

State of Odisha and others

.....

Opposite Parties

Mr. S.K. Parhi, ASC

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 Standing Counsel 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:

“In the facts and circumstances of the case, the humble petitioner fervently prays this Hon’ble Court to be graciously pleased to issue notice to the opp. parties, call for relevant records and after hearing the counsel of parties, issue a writ in the nature Mandamus or any other appropriate writ commanding opp. parties to sanction and release pension and pensionary benefits in favour of the petitioner on her retirement w.e.f. 31.01.2026 as per the decision rendered in the case of Sarat Chandra Parida Vs. State of Odisha and Others (W.P (C) No. 16425 of 2013) reported in 2015 (II) ILR Cuttack 94 & in



the case of Hemant Kumar Chhotaray Vs. State of Odisha (W.P.(C) No.17067 of 2023 & bath of cases) judgment dtd. 12.01.2024 within a stipulated dale as per the Orissa Aided Educational Institutions Employees Retirement Benefits Rules. 1981.

And/or pass such other order or direction as deems fit and proper in the interest of justice.”

4. Learned counsel for the Petitioner, at the outset, contended that the case of the Petitioner is squarely covered by the judgment of this Court dated 12.01.2024 passed in W.P.(C) No.17067 of 2023 in the matter of ***Hemanta Kumar Chhotaray vs. State of Orissa & Ors.*** In such view of the matter, learned counsel for the Petitioner contended that inaction of the Opposite Parties in extending similar benefits in favour of the Petitioner is highly illegal and that necessary direction to be given to the Opposite Parties to consider the case of the Petitioner in terms of the ratio laid down by this Court in ***Hemanta Kumar Chhotaray's*** case (supra).

5. Learned counsel for the State, on the other hand, submitted that the Petitioner has approached this Court without approaching the Opposite Parties 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 Opposite Parties to consider the representation of the Petitioner, provided the Petitioner files a representation for redressal of his grievance, within a stipulated period of time and strictly in accordance with law, he will have no objection to the same.

6. Having heard the learned counsels appearing for the respective parties, on a careful examination of the background facts, further taking into consideration limited nature of the grievance and the fact that the Petitioner has not approached the Opposite Parties before approaching this Court, this Court deems it proper to dispose of the



writ petition at the stage of admission by granting liberty to the Petitioner to approach the Opposite Party No.1 by filing detailed representation taking therein all the grounds along with supporting documents and copies of the judgment relied upon by the Petitioner in support of his claim within three weeks from today. In such eventuality, the Opposite Party No.1 shall do well to consider the representation of the Petitioner in accordance with law and by applying ratio laid down by this Court in the judgment dated 12.01.2024 as has been referred to hereinabove and dispose of the representation of the Petitioner by passing a speaking and reasoned order within 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, the writ application stands disposed of.

Issue urgent certified copy of this order as per Rules.

(Aditya Kumar Mohapatra)
Judge

Debasis