



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.5870 of 2026

Itimati Dash

.....

Petitioner

Represented by Adv. -
Satyajit Behera

-versus-

State Of Odisha & Ors.

.....

Opposite Parties

Represented by Adv. -
Mr.D.K.Sahoo, A.G.A.

CORAM:

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

ORDER

26.02.2026

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel appearing for the Petitioner as well as learned Additional Government Advocate appearing for the State- Opposite Parties. Perused the writ application as well as the documents annexed thereto.
3. By filing the present writ application, the Petitioner has prayed for the following relief:-

“Under the circumstances, it is humbly therefore prayed that this Hon'ble Court may graciously be pleased to issue a writ in the nature of mandamus or any other appropriate writ/writs by quashing the order dated 09.05.2024 issued by opposite party No.2 under annexure-17.

And further be pleased to direct the opposite party No.1 to release the arrear salary of the husband of the petitioner for the period w.e.f. 01.04.2001 till 30.01.2004 keeping in view the submission of actual financial benefits



statement made by the opp. party No. 4 under Annexure-11 and extend the benefit of arrear salary as has been given to Kuber Chandra Gopal as per letter dated 29.12.2025 issued by opp. party no.2 under annexure-21 series.

And further be pleased to direct the opp.party No.1 to consider the representation of the petitioner dated 25.01.2025 under annexure-22. Keeping in view the order of Hon'ble Court dated 05.01.2023 passed in W.P.C (OAC)No.2855/2018 under Annexure -18.”

4. Learned counsel for the Petitioner at the outset contended that the present Petitioner happens to be the wife of the late Manabhanjan Hota, who was working as a Senior Clerk in the Office of the B.E.O., Boden. The sole grievance of the Petitioner in the present writ application is that although her husband while discharging his duties, however he has not been paid the full salary as is due and admissible to him. Claiming such arrear salary the Petitioner has approached this Court by filing a present writ application. In course of his argument, learned counsel for the Petitioner contended that the Petitioner has already approached the Opposite Party No.1 by filling a detailed representation dated 25.01.2025 at Annexure-22, however the same is stated to be pending before the Opposite Party No.1. In course of his argument, learned counsel for the Petitioner further referred to the order passed by this Court in a similar case WPC(OAC) No.2855 of 2018 disposed of on 05.01.2023 by a coordinate bench, thereby directing the Opposite Party No.1 to release the arrear salary in favour of the Petitioner in the abovenoted case. He further contended that after disposal of the abovenoted writ application the Opposite Parties have acted upon the order passed by this Court and the financial benefits as is due and admissible to the Petitioner has already been



sanctioned and disbursed in favour of the Petitioner in the abovenoted writ application by virtue of order dated 29.12.2025 at Annexure-21 series. On such ground, learned counsel for the Petitioner contended that the conduct of the Opposite Parties amounts to discrimination as they have already disbursed the arrear salary in respect of similarly situated persons whereas the arrear salary as is due and admissible to late husband of the Petitioner has not been sanctioned and released in favour of the Petitioner. On such ground, learned counsel for the Petitioner contended that the Opposite Party No.1 be directed to pass necessary orders to release the arrear salary as is due and admissible to the late husband of the Petitioner in favour of the present Petitioner.

5. Learned counsel for the State on the other hand contended that he has no specific instruction in the matter. However, looking at the grievance of the Petitioner as involved in the present writ application, learned counsel for the state contended that in the event this Court directs the Opposite Party No.1 to consider and dispose of the representation of the petitioner, if the same is still pending, he will have no objection to the same.

6. Having regard to the submissions made by the learned counsels appearing for the respective parties, on a careful examination of the background facts, further taking note of the orders at Annexure-18 & 21 series, this Court deems it proper to dispose of the present writ application by directing the Opposite Party No.1 to consider the case of the Petitioner in the light of the abovenoted two orders at Annexure-18 & 21 series within a period of six weeks from the date of communication of a copy of today's order. The representation of the Petitioner shall be considered by



the Opposite Party No.1 and disposed of by a passing and speaking and reasoned order. The final decision so taken be communicated to the Petitioner within ten days thereafter. It is further directed that in the event the Opposite Party No.1 comes to a conclusion that the Petitioner is entitled to arrear salary, then in the absence of any other legal impediment, necessary follow up steps be taken to ensure that the amount as is due and admissible to the Petitioner be sanctioned and disbursed in her favour within four weeks from the date of taking such decision.

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

8. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

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