



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.5928 of 2026

Nirmal Kumar Padhy

.....

Petitioner

Represented by Adv. -
Durgesh Narayan Rath

-versus-

State Of Orissa & Others

.....

Opposite Parties

Represented by Adv. –
Mr. C.M. Singh, ASC

CORAM:

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

ORDER

24.02.2026

Order No.

01.

1. This matter is taken up through Hybrid mode.
2. Heard learned counsel for the Petitioner as well as learned Additional Standing Counsel appearing for the State-Opposite Parties. Perused the writ petition as well as the documents annexed thereto.
3. The present writ petition has been filed by the Petitioner with the following prayers:-

*“Under the above circumstance, it is therefore humbly prayed that this Hon'ble Court may be graciously pleased to issue a writ in the nature of writ of mandamus or any other appropriate writ, direction or order by directing the opposite parties to grant pension and other retrial benefits to the petitioner with effect from the date of his retirement from service as per the Provisions contained in Orissa Aided Educational Institutions Employees Retirement Benefit Rules, 1981, keeping in view the ratio decided in the case of **Sarat Chandra Parida Vrs, State of Orissa and others, reported in 2015***



(II) ILR (CUT) 94 and Hemant Kumar Chhotaray v State of Odisha and others, W.P.(C) No. 17067 of 2023 and batch disposed of on 12.01.2024.

And this Hon'ble Court be pleased to pass any further order or orders as would be deemed fit and proper in the facts and circumstances of the case”

4. The subject matter of this petition is substantially similar to the one in ***Hemanta Kumar Chhotray v. State of Orissa and others***, 2024 (1) OLR 709 and therefore, counsel for the Petitioner submits that the benefit given to litigants in the subject case should be extended his client as well.

5. Learned Additional Standing Counsel appearing for the State-Opposite Parties submits that the said matter is subjudice in Writ Appeal No.197 of 2024. However, on being asked, he tells that there is no interim order staying the judgment of the learned Single Judge. This Court in a number of similar matters has already ordered extension of the said benefits subject to outcome of the Writ Appeal and therefore, the same course needs to be adopted here also, if there are no other legal impediments.

6. Ordered accordingly, without expressing any opinion on the merits of the matter, the writ petition is disposed of subject to outcome of the writ appeal mentioned above. Compliance within eight(8) weeks.

Web copy of order to be acted upon by all concerned.

(Aditya Kumar Mohapatra)
Judge

Suchitra