



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.6703 of 2025

Rukuni Dalapati

.....

Petitioner

Represented by Adv. -
Sandhyarani Pani

-versus-

State Of Odisha & Ors.

.....

Opposite Parties

Represented by Adv. –
Mr. U.C.Jena, A.S.C.

CORAM:

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

ORDER

Order No.

23.02.2026

05. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as the learned Additional Standing Counsel for the State-Opposite Parties.
3. The grievance of the Petitioner in the present writ application is that although the husband of the Petitioner is entitled to his service benefits by counting his adhoc service period from 01.08.1992 to 19.05.1995 as a regular service towards pensionary benefits, the Opposite Parties have not taken any steps to ensure that the husband of the petitioner gets his financial benefits.
4. Learned counsel for the Petitioner at this juncture contended that the husband of the Petitioner is suffering from mental disability and that the family of the petitioner is a very distressful financial condition. It was further contended that the non-payment of the financial benefits has added to the rule of the family which is already



in deep difficulty due to the illness of the husband of the Petitioner. He further contended that the husband of the Petitioner who was appointed initially as a Sikshya Karmee was regularised in service. Learned counsel for the petitioner on the other hand contended that the State-Opposite Party Nos.4 has filed a counter affidavit wherein they have been indicated that while performing his duties the service of the husband of the petitioner was regularised w.e.f. 20.05.1995 vide government order dated 17.04.1994. It was also been stated in the counter affidavit that the petitioner has not filed any documents in support of his stand that the husband of the petitioner was suffering from mental illness during the relevant period. It was also been stated that the Petitioner the reasons as to why the medical documents were filed late before the authorities. His stand has also been taken in the counter affidavit that the husband of the petitioner absconded from duty from 01.07.2005 till his superannuation on 30.04.2023 and that neither the husband of the Petitioner attended the school at any point of time nor any of his family members never reported about his illness to the office. It has also been stated that the salary and other claims of the husband of the Petitioner have been paid up to 30.06.2005 as per the information available in his service book.

5. In the aforesaid factual background, this Court directs the Opposite Party No.3, The D.E.O., Phulbani to look into the grievance of the present Petitioner. Further, this Court directs that in the event the D.E.O., Phulbani once the medical proof of the mental illness of the husband of the Petitioner, he may direct the husband of the Petitioner to appear before the District Medical Board for his examination and report of such medical examination be placed before the D.E.O., Phulbani for his consideration. Upon such consideration, if the D.E.O. comes to a conclusion that the Petitioner was prevented



to discharge duties by his medical illness as is certified by the District Medical Board, necessary consequential orders be passed by the D.E.O., Phulbani.

6. List this matter in the week commencing 30th March, 2026. The D.E.O., Phulbani is directed to file a further affidavit after following the procedure as has been directed by this Court hereinabove.

(A.K. Mohapatra)

Judge

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