



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.8549 of 2026

Nigamananda Mohanty

.....

Petitioner

Represented by Adv. –
Ms. Sushree Sangita Pasayat

-versus-

State of Odisha and others

.....

Opposite Parties

Represented by Adv. –
Mr. D.K. Sahoo, AGA

CORAM:

THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

23.03.2026

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 counsel 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:-

“It is therefore prayed that; your Lordships shall be graciously pleased enough to admit the writ petition and after hearing the parties issue a writ of mandamus directing the Opp. Parties more particularly to the Opp. Party No.2 and 3 to sanction and release the pension and pensionary benefits to the petitioner w.e.f. dtd. 01.03.2026 in terms of Rule-3 of the Orissa Aided Educational Institutions Employees Retirement Benefit Rules, 1981 keeping in view of the ratio decided by this Hon'ble Court in case of Sarat Chandra Parida Vrs. State of Odisha, reported in 2015(II) ILR-CUT-94 which has been upheld by the Hon'ble Apex Court in SLP © CC NO(s) 761 of 2016 disposed of on 19.01.2016 (Sate of



Odisha & Others Vrs. Sri Sarat Chandra Parida) and so also in the case of Hemant Kumar Chhotray Vrs State of Odisha & Others (W.P(C) No.17067 of 2023 disposed of on 12.01.2024 along with batch of cases wherein within a reasonable time to be stipulated by this Hon'ble Court.

Issue any direction/directions, order/ orders, writ/writs which 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 her 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.

(A.K. Mohapatra)
Judge

Debasis