



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.8697 of 2026

Kanhu Charan Behera

.....

Petitioner

Represented by Adv. -
Banabihari Ray

-versus-

State of Odisha & Ors.

.....

Opposite Parties

Represented by Adv. –
A.Mohanty, A.S.C.

CORAM:

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

ORDER

25.03.2026

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 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:-

“It is therefore, most humbly prayed that this Hon’ble Court be graciously pleased to:-

- i) Admit the writ application.*
- ii) Call for the records.*
- iii) Issue a writ of Mandamus directing the opposite parties to sanction and release the pension and pensionary benefits of the petitioner within a reasonable time to be stipulated by this Hon’ble Court in the light of the judgment passed by the Hon’ble Court in case of Sarat Chandra Parida*



*Versus the State of Orissa reported in 120 (2015) CLT 813 and W.P.(C) No. 17067 of 2023 and batch of cases (Hemanta Kumar Chhotray Versus State of Odisha and others) and batch of case disposed of on 12.01.2024. extend the benefit of pension and other retiral benefits in favour of the present petitioner on account of her retirement in terms of the Odisha Aided Educational Institution Employees Retirement Benefit Rule, 1981, keeping in view the ratio decided in the case of **Sarat Chandra Parida Vrs. State of Odisha & Ors., reported in 2015 (II) ILR-CUT-94** so also the subsequent common judgment passed in the case of **Hemant Kumar Chhotray Vrs State of Odisha & Others** reported in 2024 (I) OLR-709 within a reasonable time to be stipulated by this Hon'ble Court.*

iv) And/or pass such other order/orders, direction/ directions as this Hon'ble Court may think fit and proper for the ends of justice.”

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

Anil