



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.8588 of 2026

Surjya Narayan Biswal

.....

Petitioner

Represented by Adv. –
Ms. Sharmistha Samal

-versus-

State of Odisha and others

.....

Opposite Parties

Represented by Adv. –
Smt. Sasmita Nayak, ASC

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 Additional Standing Counsel appearing for the State-Opposite Parties. Perused the writ application as well as the documents annexed thereto.
3. The Petitioner has filed the present writ application with the following prayers:-

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

- i) Admit the writ application;
- ii) Issue a writ of Mandamus directing the opposite parties to grant RACP benefits to the petitioner as per Finance Department Resolution dated 06.02.2013 read with the judgement pronounced in Ashok Kumar Mohapatra -vrs- State of Orissa & Ors vide order dated 09.10.2018 in O.A



No.1668 of 2017 which has been confirmed by this Court vide order dated 13.03.2020 passed in W.P (C) No.6698 of 2020 and later before the Hon'ble Supreme Court in SLP (C) No. 15573 of 2020 which was ultimately disposed of on dated 04.01.2021, the Director of Secondary Education letter dated 14.07.2022 by computing the entire period of service render during the pre-taken over period with effect from receiving of grant within a reasonable time to be stipulated by this Hon'ble Court by computing the entire period of Service rendered during the pre-taken over period vide W.P (C) No.19642 of 2022 with effect from receiving of grant;

iii) And this Hon'ble Court be pleased to direct the opposite parties to pay the benefit of RACP/MACP increments shall be sanctioned by the concerned D.E.O with all consequential service and financial benefits.

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. Learned counsel for both the parties agreed that the issue involved in this writ petition is analogous to one involved in O.A. No.1668 of 2017 (**Ashok Kumar Mohapatra v. State of Orissa**), which was disposed of by the Odisha Administrative Tribunal vide judgment dated 09.10.2018 and confirmed by this Court in W.P.(C) No.6698 of 2020 and further confirmed by the apex Court in SLP(C) No.15573 of 2020.

5. In view of the above and considering the limited prayer to consider the case of the petitioner in the light of the judgment rendered in **Ashok Kumar Mohapatra** (supra), this writ petition stands disposed of directing the competent authority to dispose of the case of the petitioner applying the decision rendered in the case



of **Ashok Kumar Mohapatra** (supra) by undertaking the entire exercise within a period of two months from the date of communication of the order.

6. Petitioner is directed to serve an extra copy of the brief on learned State Counsel for School & Mass Education Department for communication purpose.

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

(Aditya Kumar Mohapatra)
Judge

Debasis