



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.8265 of 2025

1) Chulachampa Dhurua

.....

Petitioners

2) Soudamini Pradhan

3) Sumitra Panigrahi

4) Soubhagyalaxmi Mohanty

5) Paluni Ekka

6) Oshi Rout

7) Malati Patra

8) Ashoka Roul

9) Sachibala Moharana

Represented By Adv. -

Siba Prasad Swain

-versus-

1) State Of Odisha

.....

Opposite Parties

2) Principal Secretary Finance

Department ,bbsr

Represented By Adv. –

Ms.Babita Kumari

Sahoo, AGA

CORAM:

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

ORDER

25.03.2025

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. Heard learned counsel for the Petitioners as well as learned counsel for the State-Opposite Parties.

3. The present writ application has been filed by the widow of the VLWs with a prayer for a direction to the Opposite Parties to grant/release the minimum pension and pensionary benefits of deceased husband along with interest in favour of the petitioners by taking into consideration order dated 31.01.2024 under Annexure-4 within a stipulated period of



time.

4. Learned counsel for the petitioners at the outset contended that the deceased husband of the petitioners stand in a similar footing with one **Niranjan Biswal**. He further contended that in the case of **Niranjan Biswal**, this Court had allowed similar benefits in **W.P.(C) No.6267 of 2018 (State of Odisha and others vs. Niranjan Biswal)**. He further contended that in the aforesaid judgment the Division bench of this Court has upheld the judgment of the OAT, whereunder the abovenamed **Niranjan Biswal** has been granted similar benefits as has been claimed by the present petitioners. He further submitted that the order passed by the Division Bench, was challenged before the Hon'ble Supreme Court by the State-Opposite Parties by filing SLP No.28065 of 2019. The aforesaid SLP has been dismissed vide order dated 18.05.2022. In such view of the matter, learned counsel for the petitioners further contended that the case of the deceased husband of the petitioners are squarely covered by the ratio laid down by this Court in **Niranjan Biswal's case**. He further contended that in a similar matter in **Tabha Sahoo and others vs. State of Odisha and another** in **W.P.(C) No.12352 of 2024**, this Court while disposing of the writ petition vide order dated 16.05.2024 directed the Opposite Parties to consider the case of the petitioners in the light of the aforesaid **Niranjan Biswal's case** and that the ratio laid down abovenamed **Niranjan Biswal's case** has attained finality.

5. Learned counsel for the State on the other hand objected to the prayer made in the present writ application. He further



submitted that it is not an established as to whether the case of deceased husband of the petitioners stand in a similar footing with the **Niranjan Biswal**, or that the order passed by the Division Bench has been confirmed by the Hon'ble Supreme Court. He further contended that unless it is established the case of deceased husband of the petitioners stand in a similar footing with the abovenamed **Niranjan Biswal** he cannot get the similar benefits. On such ground, learned counsel for the State objected to the writ application.

6. Having heard the learned counsels appearing for the respective parties, on a careful examination of the materials on record, this court observes that the petitioners have not approached the Opposite Party No.1 as of now, claiming the benefit which has claimed in the present writ application. Accordingly, this court deems it proper to dispose of the writ petition by granting opportunity to the petitioners to approach the Opposite Party No.1 by filing a detailed representation taking therein all the grounds within two weeks from today. In such eventuality, the Opposite Party No.1 shall do well to consider the representation of the petitioners within a period of eight weeks from the date of receipt of the copy of the representation along with copy of today's order by passing a speaking and reasoned order. While considering the representation of the petitioners the Opposite Party No.1 shall apply the ratio laid down in **State of Odisha and others vs. Niranjan Biswal**, in the event it is found that the case of deceased husband of the petitioners stand in a similar footing with the abovenamed **Niranjan Biswal**, then the similar



benefits be extended in favour of the petitioners.

7. With the aforesaid observation and direction, the writ application stands disposed of.

8. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

RKS

Signature Not Verified

Digitally Signed
Signed by: RAMESH KUMAR
SINGH
Reason: Authentication
Location: High Court of Orissa
Date: 26-Mar-2025 17:22:57