



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No. 8557 of 2026

Mohan Behera

.....

Petitioner

Mr. B.S. Tripathy, Sr. Advocate
along with
Mr. A. Tripathy, Advocate

-versus-

State of Odisha & Ors.

.....

Opposite Parties

Mr. A. Tripathy, AGA

CORAM:

THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

04.05.2026

Order No. 07

1. This matter is taken up through hybrid mode.
2. Heard Mr. B.S. Tripathy, learned Sr. Counsel appearing for the Petitioner along with Mr. A. Tripathy, learned counsel and Mr. A. Tripathy, learned Addl. Govt. Advocate appearing for the Opp. Parties.
3. Taking into account the development made during pendency of the writ petition and the fact that Petitioner has been allowed to join in the establishment of Opp. Party No. 4 on 08.04.2026, learned Sr. Counsel fairly contended that prayer made so far as order dtd.25.02.2026 under Annexure-7 is concerned, has become infructuous and so also the prayer to allow the Petitioner to continue in the promotional post in the establishment of Opp. Party No. 4.
4. However, since it is contended that because of the illegal action of Opp. Party Nos. 3 & 4, Petitioner could not discharge his duty for the period from 26.02.2026 to 07.04.2026 on the face of his joining in the establishment of Opp. Party No. 3 on 26.02.2026 so reflected in Annexure-



8, this Court while disposing the writ petition, permits the Petitioner to move appropriate application before Opp. Party No. 2 for regularization of the aforesaid period and release of the salary as due and admissible.

5. It is however observed that since Petitioner because of wrong committed by the Opp. Parties was not allowed to join, after being relieved vide order dtd.25.02.2026 under Annexure-7 and pursuant to order dtd.07.04.2026 was permitted to join in the establishment of Opp. Party No. 4 once again on 08.04.2026, the period 26.02.2026 to 07.04.2026 be treated as duty for all purposes and Petitioner be released with the salary for the period involved.

5.1. This Court directs Opp. Party No. 2 to complete the entire exercise within a period of four (4) weeks from the date of receipt of the application along with this order.

6. The writ petition accordingly stands disposed of.

(BIRAJA PRASANNA SATAPATHY)
Judge

Sneha