



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8659 of 2026

Biranchi Narayan Nath

Petitioner

Ms. P. Mohanty, Advocate

-versus-

***The State of Odisha &
Ors.***

Opposite Parties

Mr. P.K. Sahoo, ASC

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

24.03.2026

Order No.

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard learned counsel appearing for the Parties.
3. The present Writ Petition has been filed *inter alia* with the following prayer:-

“It is, therefore, prayed that this Hon'ble Court may graciously be pleased to issue RULE NISI calling upon the opposite parties as to why they will not be directed to sanction, draw and disburse the interest @ 18% per annum on the un-utilised earned leave salary for the period of 300 days in favour of the petitioner from the date of his superannuation till the date of actual disbursement thereof and on their failure to show cause or showing insufficient cause, to make the said RULE absolute, by directing them to sanction, draw and disburse interest on the un-utilised earned leave salary of the petitioner for the period of 300 days @18% per annum from the date of his superannuation till the date of actual disbursement thereof within a stipulated period and/or may further be pleased to pass such other or



further order(s), as it may deem fit and proper in the facts and circumstances of the case.

And, for this act of kindness, the petitioner, as in duty bound shall ever pray.”

4. It is contended that even though un-utilized leave salary as due and admissible to the Petitioner was disbursed with much delay, but the authorities are not paying the interest.

5. Mr. P.K. Sahoo, learned Addl. Standing Counsel for the State taking this Court to the earlier order passed in W.P.(C) No.26423 of 2023 contended that making similar prayer Petitioner was before this Court. This Court vide order dtd.17.08.2023 under Annexure-5 when directed for consideration of the Petitioner's claim, Contempt file challenging non-compliance was also disposed of vide order 26.06.2025.

5.1. It is contended that since similar prayer was before this Court and Contempt was disposed of, no further Writ Petition with similar prayer is entertainable.

6. Having heard learned counsel appearing for the Parties and considering the submissions made, this Court finds that prayer made in the present Writ Petition was the prayer by the present Petitioner in W.P.(C) No.26423 of 2023. As found from the record, this Court vide order dtd.17.08.2023 under Annexure-5 directed the authorities to take a decision on the



Petitioner's claim, Contempt filed seeking compliance of the order was disposed of vide order dd.26.06.2025.

6.1. Therefore, it is the view of this Court that on the face of similar prayer being adjudicated by this Court, no fresh Writ Petition is maintainable. It is open for the Petitioner to take appropriate action in the disposed of Writ Petition.

7. With the aforesaid liberty, the Writ Petition stands disposed of.

(Biraja Prasanna Satapathy)
Judge

Subrat