



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**WP(C) No.9950 of 2026**

***Kedar Nath Pathy***

.....

***Petitioner***

Represented by Adv. -  
Kumar Prajwal

*-versus-*

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

.....

***Opposite Parties***

Represented by Adv. –  
S.Behera, A.G.A.

**CORAM:**

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

**ORDER**

**31.03.2026**

**Order No.**

01. 1. This matter is taken up through Hybrid mode.
2. Heard learned counsel for the Petitioner as well as learned Additional Government Advocate 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:-

*“Under these facts and circumstances it is most humbly prayed therefore that this Hon’ble Court may graciously be pleased to direct the Opp. Parties forgrant of pensionary and other retiral benefits under the various provisions of Odisha Aided Educational institution Employees Retirement Benefit Rule 1981 and in terms of the law decided in the case of Sarat Chandra Parida-vrs-State of Odisha & Ors. reported in 2015 (H) ILR-Cuttack-94 as well as the common judgment passed in the case of Hemant Kumar Chhotaray -vrs.-State of Odisha and others*



*reported in 2024(1)OLR-709.*

*And in the alternative pass any other order/orders as deem fit and proper in this case,”*

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 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**