



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.11348 of 2026

Hadu Mishra

.....

Petitioner

Represented By Adv. –
Mr. Jyotirmay Gupta

-versus-

State of Odisha and others

.....

Opposite Parties

Represented By Adv. –

Mr. Aurobinda Mohanty,
ASC

CORAM:

THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

27.04.2026

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 petition as well as the documents annexed thereto.
3. The Petitioner has filed the present writ petition with the following prayers:-

“The petitioner therefore humble prays that the Hon'ble Court may be graciously pleased to admit this case, issue notice to opposite parties for show cause and after hearing both the sides may be pleased to issue a writ of Mandamus/certiorari by directing the opposite parties particularly to O.P.No.-1 and 4 to take immediate steps to grant the pension in favour of the petitioner in terms of the principles decided in the case of Judgment dated 12.01.2024 in W.P.(C) No. 17067 of 2023 (Hemanta Kumar Chhotaray -vs- State of



Odisha & others) and batch of cases vide Annexure-5 within stipulated period with cost.

AND

Further be pleased to direct the Opp. Party No-1 to finalize the representation vide Annexure- 6 within a stipulated period.

AND

Further be pleased to pass any other order/Direction(s) which this Hon'ble Court thinks fit and proper to this case.”

4. It is stated by the learned counsel for the Petitioner that the issue involved in the present writ application has already been adjudicated in an identical matter by the coordinate Bench in ***Rekhanjali Behera vs. State of Odisha and others*** decided in ***W.P.(C) No.32964 of 2025*** vide order dated 10.12.2025. In such view of the matter, learned counsel for the Petitioner contended that the Petitioner is entitled to the benefit at par with the above noted ***Rekhanjali Behera***. It was also contended that the learned coordinate bench has adjudicated a similar matter in ***Hemant Kumar Chhotaray vs. State of Odisha and others*** decided on 12.01.2025.

5. Learned counsel for the State, on the other hand, contended that the Petitioner has approached the Competent Authority for redressal of his grievance. In such view of the matter, learned counsel for the State contended that in the event this Court directs the Petitioner to approach the Competent Authority and the Competent Authority to consider the grievance of the Petitioner within a stipulated time period, he will have no objection to the same.

6. Taking into consideration the submissions made by the learned counsel for the parties, keeping in view the principle of law



laid down by the Hon'ble Supreme Court in *Deokinandan Prasad vs. State of Bihar, reported in (1971) 2 SCC 330* as well as *D.S. Nakara vs. Union of India reported in AIR 1983 SC 130* that pension is not a bounty and that the delay in considering disbursal of the pensionary benefit is required to be dealt with strictly, this Court deems it proper to dispose of the present writ application by directing the Opposite Party No.1 to consider the grievance of the Petitioner vide Annexure-6 and dispose of the same by passing a speaking and reasoned order within eight weeks thereafter keeping in view the judgments referred to hereinabove. The final decision so taken by the Opposite party No.1 be communicated to the petitioner within ten days thereafter.

7. With the aforesaid observations and directions, the writ application stands disposed of.

(Aditya Kumar Mohapatra)
Judge

Debasis