



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.11505 of 2020

CNR No. ODHC010249702020

Biswanath Swain

....

Petitioner

Mr. M.K. Khuntia, Adv.

-versus-

**Chief Executive Officer,
TPCODL & Others**

....

Opposite Parties

Mr. B. Dash, Adv.

(for O.P. Nos.1 to3)

CORAM:

THE HON'BLE MR.JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

Order No.

05.08.2026

- 3.** **1.** This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
- 2.** On the oral prayer made by the learned counsel appearing for the Petitioner, he is permitted to correct the description of Opp. Parties as TPCODL in place of CESU in Court.
- 3.** Heard learned counsel appearing for the parties
- 4.** Petitioner has filed the present writ petition inter alia with the following prayer:-

It is therefore humbly prayed that this Hon'ble Court may graciously be pleased to admit the case, call for the records and after hearing both the parties pass the following reliefs:

(i) To quash the notification dtd.03.02.2010 under Annexure in so far as it giving effect from 01.01.2005.



(ii) To direct the opposite parties implement the notification dtd.03.02.2010 from the date it is notified i.e. 03.02.2010.

(iii) To direct the Opp. Parties to extend the benefits old pension scheme to Petitioner instead of new restructured pension scheme of 2005.

(iv) And pass such other order/orders, direction/directions as deem fit and proper

And for which kind act the Petitioner as in duty bound shall ever pray.

5. However, taking into account the claim raised in the present Writ Petition, liberty is granted to the Petitioner to make a fresh representation before Opp. Party No.1 by enclosing all the relevant documents and citations in support of his claim, if any, within a period of three (3) weeks hence.

6. It is observed that if any such representation is filed within the aforesaid time period, Opp. Party No. 1 shall do well to take a lawful decision on the same within a period of three (3) months from the date of receipt of such representation. The order so passed by Opp. Party No. 1 be communicated to the Petitioner.

7. Since it is contended that claim of the Petitioner is covered by the order passed by this Court in the case of **Anand Dash Vs. State of Orissa and Others**, relevancy and effect of the said order be taken into consideration



while considering the claim of the Petitioner, so directed. Petitioner is permitted to provide a copy of the judgment in the case of **Anand Dash** along with the representation before Opp. Party No.1 for compliance.

8. With the aforesaid observation and direction, the Writ Petition stands disposed of.

(Biraja Prasanna Satapathy)
Judge

sangita