



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.12645 of 2026

Sarat Kumar Nayak

.....

Petitioner

Represented by Adv. -
Aurobinda Sahoo

-versus-

State of Odisha & Ors.

.....

Opposite Parties

Represented by Adv. -
Mr. P.P.Behera, A.S.C.

CORAM:

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

ORDER

30.04.2026

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 present writ petition has been filed by the Petitioner with the following prayers:-

“Under the above facts and circumstances, it is therefore humbly prayed that this Hon'ble court may be graciously pleased to direct the opp.parties to sanction and pay the pension and pensionary benefits in favour of the petitioner in terms of Rule-3 of the Orissa Aided Educational Institutions Employees Retirement Benefit Rules, 1981; within a time stipulated as deem fit and proper, as his case is squarely covered by the ratio decided by this Hon'ble Court in case of Hemanta Kumar Chhotaray Vr. State of Odisha and others (W.P.(C) No.17067 of 2023 and batch of case, disposed of on



12.01.2024).

And further this Hon'ble Court may graciously be pleased to pass any other order(s)/ direction (s) as would be deemed fit and proper in the circumstances of the 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 Additional Standing 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