



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.12410 of 2026

Durbadal Pradhan

.....

Petitioner

Represented by Adv. -
Sanjib Mohanty

-versus-

***Orissa University of Agriculture
and Technology, Bhubaneswar
& Ors.***

.....

Opposite Parties

Represented by Adv. -

CORAM:

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

ORDER

02.05.2026

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner. Perused the writ application as well as the documents annexed thereto.
3. By filing the present writ application the Petitioner has made the following prayer:

“Under such circumstances, it is humbly prayed that this Hon’ble Court may kindly be pleased to admit the case and issue notice to the Opposite Parties to file their show cause as to why the case of the Petitioner shall not be allowed and after hearing the Parties, the case of the Petitioner be allowed and give direction to the Opposite Parties to grant pension and pensionary benefit in favour of the Petitioner treating the entire period of service starting from the initial date of engagement to the date of retirement as qualifying service and



the arrear to that effect be paid to the Petitioner within a stipulated period.

And/or give direction to the Opp. Parties No. 1 to 3 to dispose of the representation of the petitioner vide Annexure-10 dated 07.05.2025 taking into account of the decision of the Hon'ble Apex Court passed on 30.07.2012 in SLP(Civil) No.17901 of 2011 in case of Harbans Lal Vrs. State of Punjab and order of this Hon'ble Court passed in W.P.(C) No.25156 of 2013 allowed on 13.09.2024 (Pratap Kumar Mohanty vrs. Registrar, Utkal University) within a stipulated period by giving reasonable opportunity to the Petitioner.

And/or pass any other order(s) which deems fit and proper for adjudication of the case.

And for this act of kindness, the Petitioner shall be ever prayed."

4. Learned counsel for the Petitioner at the outset contended that initially the Petitioner was appointed as a NMR/DLR/Casual Labour on 19.02.1983. Thereafter, the service of the Petitioner was regularized in the post of Village Agriculture Worker (VAW) vide order dated 16.08.2017 at Annexure-7 with effect from 01.12.2015.

5. Learned counsel for the Petitioner at this juncture contended that while the Petitioner was working as a VAW as promoted to the post of Agriculture overseer by virtue of the order dated 14.03.2022 at Annexure-8. Finally the Petitioner has retired from service an attaining the age of superannuation with effect from 30.04.2023.

6. The grievance of the Petitioner in the present writ application is that although the Petitioner approached the Opposite Party Nos. 1 and 2 by filing a detailed representation ventilating his grievance by filing a representation dated



07.05.2025 under Annexure-10. However, no final decision has been taken to the representation of the Petitioner. Being aggrieved by such inaction on the part of Opposite Party No.2, the Petitioner approached this Court by filing the present writ application.

7. Learned counsel for the State on the other hand contended that although he has no specific instruction in the matter, however taking into consideration the fact that the Petitioner's representation is still pending for consideration by the Opposite Party-University and no final decision has been taken in the meantime, he will have no objection, this Court directs the Opposite Party No.3 to consider the representation of the Petitioner is strictly in accordance with law within a stipulated period of time.

8. Having heard the learned counsels appearing for the respective parties, on a careful examination of the background facts, this Court deems it proper to grant liberty to the Petitioner to file a fresh representation taking therein all the ground along with supporting documents as well as the judgment relied by the Petitioner in support of his contention within three weeks' from today. In such eventuality, the Opposite Party No.1 shall consider and dispose of same strictly in accordance with law and dispose of the same by passing a speaking and reasoned order taking into the ratio laid down by Hon'ble Apex Court is passed on 30.07.2012 in SLP (Civil) No.17901 of 2011 (*State of Punjab & Ors. vs. Harbans Lal*) and order of this Hon'ble Court passed in W.P.(C) No.23393 of 2025 allowed on 25.03.2026 (*Prativa Mohapatra vs. Registrar, Utkal University & Ors.*) and W.P.(C) No.23919 of 2023 disposed of on 10.09.2025 (*Ananta Kumar*



Nayak vs. The Registrar, Utkal University & Ors.) within a period of eight weeks' from the date of communication of a copy of today's order while considering the fresh representation. The final decision so taken be communicated to the Petitioner within ten days thereafter.

9. With the aforesaid observation and direction, the Writ Application stands disposed of.

(A.K. Mohapatra)
Judge

Anil