



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.13549 of 2026

Prasanta Kumar Mishra

.....

Petitioner

Represented by Adv. -
Ramakrishna Bisoi

-versus-

State of Odisha & Ors.

.....

Opposite Parties

Represented by Adv. -
Mr. S.K.Parhi, A.S.C.

CORAM:

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

ORDER

06.05.2026

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel appearing for the Petitioner as well as learned Additional Standing Counsel appearing for the State- Opposite Parties. Perused the writ application as well as the documents annexed thereto.
3. The Petitioner has filed the present writ application with the following prayer:

“In view of the aforesaid facts and circumstances as narrated above, it is ardently prayed that this Hon'ble Court may kindly be graciously pleased to direct the Opp. Party No.1 to declare that the present petitioner is a beneficiary of Orissa Aided Educational Institution employee retirement Benefit Rules 1981 and accordingly the same shall be applicable to him after his retirement & sanction pension to him after his retirement in view of the



law decided in case of Hemanta Kumar Chhotray within a time stipulation as fixed by this Hon'ble Court.

And/or issue any other appropriate writ/ writs, order/orders, direction/directions as deem fit and proper in the fitness of the case.”

4. In course of hearing of the writ application, learned counsel for the Petitioner submits that the Petitioner ventilating his grievance has submitted representation before the Secretary to Government, Higher Education Department, Odisha, Bhubaneswar, Opposite Party No.1 under Annexure-4. It is also submitted by the learned counsel for the Petitioner that the said representation is pending as of now. It is also submitted by the learned counsel for the Petitioner that a direction be issued to the Opposite Party No.1 to consider the representation of the Petitioner under Annexure-4 within a stipulated period of time.

5. Learned Additional Standing Counsel submits that he has no objection if the representation of the Petitioner is considered by the Opposite Party No.1, which is stated to be pending, in accordance with law within a stipulated period of time.

6. Considering the limited nature of grievance of the Petitioner, the writ application is disposed of at the stage of admission with a direction to the Opposite Party No.1 to consider the representation of the Petitioner under Annexure-4 taking into consideration the judgment in ***Hemanta Kumar Chhotaray vs. State of Orissa & Ors.*** (W.P.(C) No.17067 of 2023 decided on 12.01.2024) within a period of eight weeks from the date of production of certified copy of this order. The Opposite Party No.1 shall do well to dispose of the representation of the Petitioner under Annexure-4 by passing a speaking and reasoned order. The decision so taken by the Opposite



Party No.1 be also communicated to the Petitioner within ten days thereafter.

7. With the aforesaid observation/ direction, the writ application stands disposed of.

8. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

Rubi

Signature Not Verified

Digitally Signed
Signed by: RUBI BEHERA
Reason: Authentication
Location: OHC
Date: 11-May-2026 17:36:18

