



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.14451 of 2026

***Ashish Kumar Bahali and
others***

.....

Petitioners

Represented by Adv. –
Mr. S.K. Mishra

-versus-

State Of Odisha and others

.....

Opposite Parties

Mr. U.C. Jena, ASC

CORAM:

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

ORDER

08.05.2026

Order No.

01. 1. This matter is taken up through Hybrid mode.
2. Heard learned counsel for the Petitioners as well as learned
counsel 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:

*“It is therefore, most humbly prayed that this
Hon'ble Court be graciously pleased to:*

i) Admit the writ application

ii) Call for record.

*iii) Issue a Writ in the nature of Mandamus for
any other writ/writs, order/orders,
direction/directions by directing the Opp.
Parties particularly Opp.Party No.2 & 3 to
approve/regularize the service of petitioners and
to release the salaiy components in their favour*



*with effect from their eligibility under the G.I.A Order 1994 keeping in view of the ratio decided by this Hon'ble Court in the case of **State of Odisha 4 & Another Vrs Ratnakar Mohapatra & Another (F A O No. 509 of 2014 disposed of on 19.03.2025)** which has been made confirmed by the Hon'ble Apex Court in SLP (C) No.6943 of 2026 disposed of on 25.03.2026 & further the petitioners may be extended with all other consequential, service benefits as due & admissible as has been extended in favour of similarly placed employees under same scheme by taking in to consideration the principle decided by the Hon'ble Apex Court's in the case of **State of U.P and others Versus Arvind Kumar Srivastava reported in (2015) 1 SCC page 347** also the Judgment passed in the case of **State of Karnatak and others Versus C. Lalitha reported in 2006 (2) see page 747** within a stipulated time.*

And pass such other order/orders may be deemed fit and proper.

And for this act of kindness, the petitioner shall as in duty bound, ever pray”

4. Learned counsel for the Petitioners at the outset contended that the present Petitioners who stand in a similar footing with the Appellant in FAO No.509 of 2014, which was disposed of by a Coordinate Bench on 19.03.2025 and eventually upheld by the Hon'ble Supreme Court, claims similar benefits at par with the Appellant in FAO No.509 of 2014. He further contended that claiming similar benefits the Petitioners have already approached the Opposite Party No.2 by filing a detailed representation dated



16.10.2025 at Annexure-4 to the writ petition. He further submitted that since no decision has been taken on the representation of the Petitioners even though several months have elapsed in the meantime. Challenging such inaction of the Opposite Party No.2 the Petitioners have approached this Court by filing the present writ petition.

5. Learned counsel for the State on the other hand contended that since the issue involved in the present writ petition is release of GIA, the present writ petition is not maintainable. He further contended that in the event the Petitioners have approached the Opposite Party No.2 and their grievance is still pending before the Opposite Party No.2, he will have no objection if this Court directs the Opposite Party No.2 to take a lawful decision on such representation within a stipulated period of time.

6. Considering the submissions made by the learned counsels appearing for the respective parties, on a careful analysis of their submission and on a close scrutiny of the document annexed to the writ petition, this Court observes that the sole grievance of the Petitioners in the present writ petition is the inaction of the Opposite Party No.2 to take a decision on their representation dated 16.10.2025 which is stated to be pending before the Opposite Party No.2 for consideration. Taking into consideration the aforesaid factual scenario, this Court deems it proper to dispose of the writ petition by directing the Opposite Party No.2 to consider and dispose of the representation of the Petitioners in view of the judgments of this Court as well as the Hon'ble Supreme Court within a period of eight weeks from the date of communication of a certified copy of today's order. It is needless to mention here that the claim of the



Petitioners shall be governed by the judgment of this Court as has been affirmed by the Hon'ble Supreme Court. It is further directed that the Opposite Party No.2 shall do well to dispose of the representation of the Petitioner by passing a speaking and reasoned order. The final decision so taken be communicated to the Petitioner within ten days thereafter.

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

Issue urgent certified copy of this order as per Rules.

(Aditya Kumar Mohapatra)
Judge

Sipra

Signature Not Verified

Digitally Signed
Signed by: SIPRA MUDULI
Reason: Authentication
Location: High Court of
Orissa, Cuttack
Date: 12-May-2026 14:53:40