



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.1384 of 2024

State of Odisha & Others

....

Appellants

Mr. S.B. Mohanty, AGA

-Versus-

Sarat Chandra Martha

....

Respondent

Mr. S. Patra, Advocate

CORAM:

JUSTICE KRISHNA S. DIXIT

JUSTICE CHITTARANJAN DASH

ORDER

06.05.2026

Order No.

01.

W.A. Nos.1384, 1594, 1599 & 1606 of 2024

These are four Intra-Court Appeals filed by the State and its officials. In Writ Appeal No.1384 of 2024, challenge is laid to a learned Single Judge's order dated 22.11.2023, whereby W.P.(C) No.27794 of 2023 having been favoured, relief has been accorded to the Respondent-employee. In the companion Writ Appeal Nos.1594, 1599 & 1606 of 2024, challenge is to the very same order whereby other employees' W.P.(C) Nos.19508, 19501 & 31900 of 2023 have also been allowed and same relief has been accorded to them. To put it shortly, it is a common order that is brought for our examination in detail.

2. The case in Writ Appeal No.1384 of 2024 has been filed and there being delay, its condonation is sought for vide I.A. No.3606 of 2024 whereas I.A. Nos.4150, 4133 & 4238 of 2024 for the same



purpose has been filed under the companion Writ Appeal Nos.1594, 1599 & 1606 of 2024. Delay is not that long and there is a plausible explanation offered for the same. We are told at the Bar that in identical matters, we have already condoned delay and therefore, we have to take the bit and track here also. Therefore, the subject applications having been favoured, delay stands condoned.

3. Learned counsel appearing for the Respondent-employees draws our attention to our judgment dated 26.03.2026 whereby a slew of similar Appeals have been decided against the State and they are Writ Appeal Nos.676, 677, 683, 686, 688, 690, 2135, 277 of 2024 & W.A. No.815 of 2025. It hardly needs to be stated that similar cases should be decided similarly, the principal of parity and equality having been enshrined in Articles 14, 15 & 16 of the Constitution of India. No differences are demonstrated despite some submission made on behalf of the Appellant-State.

4. It is relevant to mention paragraphs.5 & 6 of our common judgment entered in cognate cases, which are reproduced below:

“5. Taking cue from the aforesaid principles, learned counsel for the Respondents contends that cases resting on identical factual and legal foundations must receive identical treatment, and that the operative directions issued in the cognate matters ought to be incorporated in the present order as well. We find substantial merit in the said submission and are in respectful agreement with the contention advanced on behalf of the Respondents.

*6. In the aforesaid circumstances, the present Appeals are disposed off in terms of the orders passed in **Narusu Pradhan vs. State of Orissa** (supra) and **Basanti Das vs. State of Odisha** (supra), and shall be governed by the same directions and consequences as expounded therein. The*



entire exercise of extending the benefit be completed within a period of eight weeks.”

In the above circumstances, these Appeals also meet the same fate as of necessity. The Appellants are directed to implement the common order of the learned Single Judge within an outer limit of eight weeks without avoidably driving the poor employees to undertake one more legal battle.

Web copy of this order to be acted upon by all concerned.

(Krishna S. Dixit)
Judge

(Chittaranjan Dash)
Judge

Madhusmita