



IN THE HIGH COURT OF ORISSA AT CUTTACK
CONTC No.2806 of 2025

Soubhagya Ranjan Das ***Petitioner***
Mr. Manoja Kumar Khuntia, Advocate

-versus-

Smt. Anu Garg, IAS, Development ***Opposite Parties***
Commissioner-cum-Additional Chief
Secretary to Government, P&C
Department, Govt. of Odisha & others
Mr. Debasis Tripathy, AGA

CORAM:
HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

Order No.
05.

ORDER
19.09.2025

1. This Court vide order dated 28.02.2025 passed in W.P.(C) No.26518 of 2019 concluded as follows:-

“12. For the discussions made above and reasons ascribed to supra, this Court does not find force in the arguments advanced by Sri Jayanta Kumar Bal, learned Additional Government Advocate. However, unambiguous position can be summarised as:

- i. The service/post of ORS is not ex-Cadre post.*
- ii. Even otherwise, in view of Finance Department Resolution bearing No.5073— FIN-CS1-Appl-0001-2024/F., dated 13.02.2025 having given effect to the RACP under the ORSP, 2008 from 01.01.2013 and Prasanna Kumar Gochhayat Vrs. State of Odisha, 2025 SCC OnLine Ori 172 the claim of the petitioner could not be denied on jejune grounds.*

13. Under the aforesaid premises, while setting aside instructions to the Additional District Magistrate, Dhenkanal vide Letter No.RDM-GOEA-SANC-0060-2018—



9649/R&DM, dated 25.03.2019 (Annexure-8) issued by the Government of Odisha in Revenue and Disaster Management, it is apposite to direct the opposite party No.6 (Secretary, Board of Revenue (Main Board), Odisha, Cuttack before whom the representation dated 17.06.2019 (Annexure-10), is stated to be pending, to consider grievance of the petitioner and dispose of in the light of observations made hitherto.

13.1 It may require clarity by impressing upon the authority that in the event such representation is viewed adverse to the claim of the petitioner, he deserves to be afforded an opportunity of being heard.

13.2. Appropriate orders thereon be passed thereafter which shall be communicated to the petitioner.

13.3. It is hoped that endeavour is to be made to complete the entire exercise within eight weeks from today.

14. With the above observation(s) and direction(s) the writ petition stands disposed of, but in the circumstances there shall be no orders as to costs.”

2. It is submitted by Sri Manoja Kumar Khuntia, learned counsel appearing for the petitioner that certified copy of the order was communicated to the Secretary, Board of Revenue (Main Board), Odisha, Rajaswa Bhawan, Cuttack by AIGP, Odisha, Department of Home, Office of the DGP & DCS, HoD Building, Bhubaneswar for consideration and early action.

3. A show-cause affidavit is filed by opposite party no.6, wherein paragraph-9 reveals as follows:-

“9. That, in response to above letters, Govt. in Rev & D.M. Department (Opp. No.4) has intimated vide Letter No.31656/R&DM, Dated. 21.08.2025 that, the representation of the petitioner dated, 17.06.2019 as at Annexure-10 was considered and rejected as the procedure



of pay fixation order vide Letter No.9649/R&DM, Dated, 25.03.2019 had been kept intact by the Finance Department. However, as the petitioner has objected the matter again and in order to comply the orders of Hon'ble High Court, the matter has been sent to the Finance Department for re-examination and clarification on whether the way of pay of Sri Das has been fixed in ORS cadre is correct or needs rectification.”

4. A document dated 21.08.2025 is enclosed as Annexure-A/6 to the said show-cause affidavit, which states as follows:-

“On considering his representation dtd.17.06.2019, it is found that his prayer for correcting the fixation of his pay in ORS cadre merit no consideration as his pay in the ORS cadre has been fixed as per the Finance Department guidelines even though the above representation of Sri Das dtd.17.06.2019 had already been taken into consideration and rejected vide this Department letter no.37794 dtd.30.11.2019 (Copy enclosed).

However, as this is a Financial matter and the petitioner is objecting time and again to the way in which his pay has been fixed in ORS Cadre at this end, in order to comply the order of the Hon'ble High Court it has been sent to the Finance Department for re-examination of the case to clarify whether the way the pay of Sri Das has been fixed in ORS cadre is correct or needs rectification. The same is awaited.

This is for your kind information and necessary further action.”

5. There is no material placed on record to show that any step has been taken by the authority concerned to question the veracity or propriety of order dated 28.02.2025 passed in W.P.(C) No.26518 of 2019. This Court is not satisfied with the manner of show-cause



affidavit being sworn to by opposite party no.6 and does not find the explanation rendered therein plausible.

6. Hence, the Secretary, Board of Revenue (Main Board), Odisha, Cuttack, opposite party no.6 is directed to remain present before this Court on the next date of listing through virtual mode.

7. List this matter on 17.10.2025.

(M.S. Raman)
Judge

MRS