



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.19549 of 2025

Prafulla Kumar Das

....

Petitioner

Mr. P.C. Mahapatra, Adv.

-versus-

State of Odisha & Ors.

....

Opposite Parties

Mr. C.K. Pradhan, AGA

CORAM:

THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

25.02.2026

Order No

2.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard learned counsel appearing for the Parties.

3. The present Writ Petition has been filed *inter alia* with the following prayer:-

“It is, therefore, prayed that your Lordships be graciously pleased to admit the writ petition, issue rule nisi in the nature of appropriate writ or any other writ (s) as deem fit and proper calling upon the Opp. Parties to show cause as to why the prayer made hereunder shall not be allowed, and if no/ insufficient cause is shown, the said rule be made absolute by issuing writ(s) in the nature of:

The impugned order dated 31.05.2024 at Annexure-4 passed by O.P. No. 2 be quashed and the petitioner be allowed to avail the benefits of 3rd RACP @Rs.. 6600/- w.e.f. 17.11.2023 as per the order at Annexure-2 (Series) with all other



consequential service and financial benefits including the pension and pensionary benefits accrued thereon in the interest of Justice.

AND,

Further be pleased to pass such other writ (s)/ order (s) as may deem just and proper,

AND,

For this act of kindness, the petitioner, as in, duty bound shall ever pray.”

4. It is contended that claim of the Petitioner to get the benefit of 2nd and 3rd RACP was modified vide the impugned order dated 31.05.2024 under Annexure-4 and the same is under challenge in the present Writ Petition.

4.1. However, it is contended that taking into account the order passed by the Hon'ble Apex Court in a batch of Civil Appeal in Civil Appeal No.11486 of 2025 and batch (State of Odisha & Ors. Vrs. Panchanan Panda) disposed of on 09.09.2025, and the resolution issued by the Finance Department on 13.02.2025, the ground on which Petitioner's claim to get the benefit of 2nd & 3rd RACP so modified vide the impugned order dated 31.05.2024 under Annexure-4 and is no more sustainable.

4.2. It is accordingly contended that while quashing the order at Annexure-4, the matter be remitted to Opp. Party No.2 to take a fresh decision on the claim of the Petitioner in the light of the resolution issued by the Finance Department on 13.02.2025.



5. Learned Addl. Govt. Advocate also fairly contended that in view of the order passed by the Apex Court, and the resolution issued on 13.02.2025, appropriate order can be passed by this Court.

6. Having heard learned counsel for the Parties and considering the submission made and the order passed by the Apex Court as well as the resolution issued on 13.02.2025, this Court is of the view that Petitioner's claim is required to be considered afresh in the light of the resolution dated 13.02.2025.

6.1. Therefore, while quashing the order dated 31.05.2024 so issued by Opp. Party No.2 under Annexure-4, this Court remits the matter to Opp. Party 2 to take a fresh decision on the Petitioner's claim to get the benefit of 2nd & 3rd RACP in the light of the resolution dated 13.02.2025. This Court directs Opp. Party No.2 to take a fresh decision within a period of 2 (Two) months from the date of receipt of this order.

7. Accordingly, the Writ Petition stands disposed of.

(Biraja Prasanna Satapathy)
Judge

Jyoti