



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No. 20726 of 2026**

***Nabin Kumar Sahu***

.....

***Petitioner***

Mr. J. Sahu, Adv.

-versus-

***State of Odisha & Ors.***

.....

***Opposite Parties***

Mr. S.P. Das, ASC

**CORAM:**

**THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER**

**08.07.2026**

**Order No. 01**

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned counsel appearing for the Opp. Parties.
3. Petitioner has filed the present writ petition inter alia with the following prayer:-

*“It is therefore prayed that the Hon'ble Court be graciously pleased to issue Rule NISI calling upon the Opposite Parties to show cause as to why the impugned order under Annexure-4 and Annexure-9 shall not be quashed and as to why the petitioner shall not be reinstated in his service in the post of Home Guard of Bargarh district with all service benefit and on perusal of causes shown, if any, or any insufficient causes shown, make the said rule absolute.*

*And may pass such other order (s), direction(s) as deemed just and proper.*

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

4. However, taking into account the claim raised in the present Writ Petition, liberty is granted to the Petitioner to make a fresh



representation before Opp. Party No.2 by enclosing all the relevant documents and citations in support of his claim, if any, within a period of three (3) weeks hence.

5. It is observed that if such representation is filed within the aforesaid time period, Opp. Party No. 2 shall do well to take a lawful decision on the same within a period of three (3) months from the date of receipt of such representation. The order so passed by Opp. Party No. 2 be communicated to the Petitioner.

5.1. It is however observed that while taking a decision on the Petitioner's claim to get the benefit of re-engagement, the order of acquittal passed in his favour vide judgment dated 19.02.2024 in CT Case No.47 of 2021 under Annexure-5 on the ground of the issue reflected in order dated 03.11.2021 under Annexure-4 be taken into consideration, in view of the decision of the Apex Court in case of ***Ram Lal Vrs. State of Rajasthan and Ors.*** (Civil Appeal No.7935 of 2023) so followed in the case of ***Maharana Pratap Singh Vs. The State of Bihar and Others*** (Civil Appeal No.5497 of 2025) and the recent decision in the case of ***State of Odisha & Ors. Bansidhar Bariki (W.A. No.589 of 2025)***. Petitioner is permitted to enclose the decisions along with application to be filed before Opp. Party No.2, for consideration.

6. With the aforesaid observation and direction, the Writ Petition is disposed of.

**(BIRAJA PRASANNA SATAPATHY)**  
**Judge**

*Jyoti*