



IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.19785 of 2025

Mahendra Kumar Nag

.....

Petitioner

Represented By Adv. -
Krishna Chandra Sahu

-versus-

1) State Of Odisha

.....

Opposite Parties

2) Director R And R And Ex-officio
Spl. Secy., Water Resources Dept.,
Bbsr
3) Special Land Acquisition Officer
Spl. L.a.o., Lower Indra Irrigation
Project., Nuapada
4) Principal Accountant General A
And E, Bbsr

Represented By Adv. –
Mr.D.N.Lenka,AGA
Mr.S.K.Patra,Standing
Counsel for AG Odisha

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA

ORDER
21.07.2025

Order No.

01. 1. This matter is taken up through Hybrid mode.
2. Heard learned counsel for the Petitioner as well as
 learned Additional Government Advocate for the State-
 Opposite Parties and Mr.S.K.Patra, learned Standing
 Counsel for A.G.Odisha. 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, prayed that your Lordships
may graciously be pleased to admit and allow
this writ application by directing the Opp.Parties
to allow the 3rd RACP benefit in favour of the
Petitioner on completion of 30 years of service
as on 01.01.2013 by fixing his basic pay in the*



time scale of i.e. Rs.9,300 - to Rs.34,800/- with G.P. of Rs.4600/- in accordance with Annexure-3 & 4 so also in the light of similar such benefit has been extended in case of similar Chainman/Amin as per Annexure-5 & 6 by further revising the pay and pension of the Petitioner as per the ORSP Rules 2017 with granting the consequential benefits as due and admissible in favour of the Petitioner within a time bound period for the interest of justice.

And may pass any other Writ(s), Direction(s), Order(s) as this Hon'ble Court may be deemed fit and proper."

4. In course of hearing of the writ application, learned counsel for the Petitioner submits that the Petitioner ventilating his grievance has submitted a representation before the Director (R&R)-cum-Ex-Officio, Water Resources Department, Odisha-Opposite Party No.2 under Annexure-7. It is also submitted that the said representation is still pending for final consideration. It is also submitted by the learned counsel for the Petitioner that a direction be issued to the Opposite Party No.2 to consider the representation of the Petitioner under Annexure-74 within a stipulated period of time.

5. Learned Additional Government Advocate submits that he has no objection if the representation of the Petitioner is considered by the Opposite Party No.2, which is stated to be pending, in accordance with law within a stipulated period of time.

6. Considering the limited nature of grievance of the Petitioner, the writ application is disposed of at the stage of



admission with a direction to the Opposite Party No.3 to consider the representation of the Petitioner under Annexure-7 strictly in accordance with law taking into consideration Annexures-5,6 & 8 and the ratio decided in the case of **State of Odisha vs. Biharilal Barik** decided by this Court in **W.P.(C) No.2831/2016**, disposed of on 27.06.2016 and Notification of the Finance Department dated 13.02.2025 within a period of eight weeks from the date of production of certified copy of this order by the Petitioner within two weeks from today. The Opposite Party No.2 shall do well to dispose of the representation of the Petitioner under Annexure-7 by passing a speaking and reasoned order. The final decision so taken by the Opposite Party No.2 be also communicated to the Petitioner within two weeks 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

RKS

Signature Not Verified

Digitally Signed
Signed by: RAMESH KUMAR SINGH
Designation: AR-CUM-Senior Secretary
Reason: Authentication
Location: High Court of Orissa
Date: 22-Jul-2025 17:24:07

