



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.20460 of 2025

Prajukta Swain

.....

Petitioner

Represented by Adv. –

Mr. Banshidhar Satapathy

-versus-

State of Odisha and others

.....

Opposite Parties

Smt. Sasmita Nayak, ASC

CORAM:

THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

23.02.2026

Order No.

- 01.
1. This matter is taken up through Hybrid mode.
 2. Heard learned counsel for the Petitioner as well as learned Additional Standing Counsel appearing for the State-Opposite Parties. Perused the writ petition as well as the documents annexed thereto.
 3. The present writ petition has been filed by the Petitioner with the following prayers:-

“In the facts and circumstances of the case, the humble petitioner fervently prays this Hon’ble Court to be graciously pleased to issue notice to the opp. Parties, call for relevant records and after hearing the counsel of parties, issue a writ in the nature Mandamus or any other appropriate writ commanding opp. Parties to sanction and release family pension and other benefits in favour of the petitioner within a stipulated date as per the Orissa Aided Educational Institutions Employees Retirement Benefits Rules, 1981 in terms of decision rendered in the case of Hemant Kumar Chhotaray Vs. State of Odisha (W.P (C) No.17067 of 2023 & bath of cases) judgment dtd. 12.01.2024.



And /or pass such other order or direction as deems fit and proper in the interest of justice.”

4. The subject matter of this petition is substantially similar to the one in ***Hemanta Kumar Chhotray v. State of Orissa and others***, 2024 (1) OLR 709 and therefore, counsel for the Petitioner submits that the benefit given to litigants in the subject case should be extended his client as well.

5. Learned Additional Standing Counsel appearing for the State-Opposite Parties submits that the said matter is subjudice in Writ Appeal No.197 of 2024. However, on being asked, he tells that there is no interim order staying the judgment of the learned Single Judge. This Court in a number of similar matters has already ordered extension of the said benefits subject to outcome of the Writ Appeal and therefore, the same course needs to be adopted here also, if there are no other legal impediments.

6. Ordered accordingly, without expressing any opinion on the merits of the matter, the writ petition is disposed of subject to outcome of the writ appeal mentioned above. Compliance within eight(8) weeks.

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

(Aditya Kumar Mohapatra)
Judge