



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

**WP(C) No.20454 of 2025**

***Indu Yadav***

**.....**

***Petitioner***

Represented By Adv. -  
Ipsit Aurobindo Acharya

***-versus-***

***State Of Odisha & Ors.***

**.....**

***Opposite Parties***

Represented By Adv. –  
Samresh Jena, A.S.C.

**CORAM:**

**THE HON'BLE MR. JUSTICE ADITYA KUMAR  
MOHAPATRA**

**ORDER**

**25.07.2025**

**Order No.**

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel appearing for the Petitioner as well as learned Additional Standing Counsel appearing for the State- Opposite Parties. 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 humbly prayed that in the circumstances stated above, this Hon'ble Court may graciously be pleased to admit the Writ Petition, issue a Rule NISI in the nature of Mandamus and / or any other appropriate Writ / Writs calling upon the Opp. Parties to show cause as to why:*

*(1) The resignation dated 17.03.2025 vide Annexure-7 and representations dated 18.03.2025, 03.04.2025 & 01.07.2025 of the petitioner (vide Annexures 8, 9 and*



*10 respectively) of the petitioner seeking NOC from the Opp Party No.1 shall not be disposed of within a time bound manner. i.e. within a period of four weeks;*

*(2) The Opp Parties shall not be directed to accept the resignation dated 17.03.2025 vide Annexure-7 and representations dated 18.03.2025, 03.04.2025 & 01.07.2025 of the petitioner (vide Annexures 8, 9 and 10 respectively) seeking NOC from the Opp Party No.1;*

*And, if the Opp. Parties fail to show cause or show false/insufficient cause, make the said Rule absolute;*

*And, pass such other Order/Orders, as this Hon'ble Court may deem fit, just and proper in the facts and circumstances of the present case.”*

4. Learned counsel for the Petitioner at the outset contended that the Petitioner on 29.12.2023 on contractual basis. While continuing in service under the Opposite party No.2, the Petitioner tendered her resignation on 09.03.2024 on the ground of health and mental issues. However, such application was initially rejected by the State-Opposite Parties. Thereafter, the Petitioner again submitted another resignation on 17.03.2025. At this juncture, learned counsel for the Petitioner further contended that although the Petitioner has tendered resignation on 17.03.2025, however, no decision has been taken by the State-Opposite Parties. In the aforesaid context, learned counsel for the Petitioner referring to the judgment of this Court in the case ***Minakshi Mishra vs. State of Odisha & Ors.*** in W.P.(C) No.493 of 2024 decided on 05.02.2024 submitted before this Court that in a similar case, this Court had directed the Opposite Parties to accept the resignation of the Petitioner subject to certain conditions mentioned in the said order. In such view of the



matter, learned counsel for the Petitioner contended that the present writ application be allowed and the Opposite Parties be directed to accept the resignation of the Petitioner.

5. Learned counsel for the State on the other hand contended that although he has no specific instruction in the matter, however, in the event any resignation letter is pending, no final decision has been taken thereon. He further submitted that in the event this Court directs the Opposite Party No.1 to take a final decision on such resignation of the Petitioner in accordance with law within a stipulated period of time, then he will have no objection to the same.

6. Having regard to the submissions of learned counsels for the parties, on a careful examination of the background facts as well as materials on record, further keeping in view the ratio laid down by this Court in *Minakshi Mishra's* case (supra), this Court deems it proper to dispose of the writ application at the stage of admission by directing the Opposite Party No.1 to take a decision on the resignation letter of the Petitioner dated 17.03.2025 under Annexure-7 to the writ application within a period of four weeks from the date of communication of a certified copy of this order by the Petitioner. It is needless to mention here that the representation of the Petitioner shall be considered and disposed of strictly in accordance with law by passing a speaking and reasoned order and by taking into consideration the ratio laid down by this Court in *Minakshi Mishra's* case (supra). The final decision so taken by the Opposite Party No.1 be also communicated to the Petitioner within a week from the date of taking such a decision.



7. With the aforesaid observations/ directions, the writ application stands disposed of.

8. Issue urgent certified copy of this order as per Rules.

**( A.K. Mohapatra )**  
**Judge**

Anil

Signature Not Verified

Digitally Signed  
Signed by: ANIL KUMAR SAHOO  
Designation: Junior Stenographer  
Reason: Authentication  
Location: High Court of Orissa  
Date: 25-Jul-2025 18:34:57

