



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

**WP(C) No. 24439 of 2021**

***Bhakta Bachala Behera***

**.....**

***Petitioner***

Ms. M. Panda, Advocate

**-versus-**

***Odisha Legislative Assembly***

**.....**

***Opposite Party***

Mr. P.K. Nanda, Advocate

**CORAM:**

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

**ORDER**

**13.08.2025**

**Order No. 09**

1. This matter is taken up through hybrid mode.
2. Heard Ms. M. Panda, learned counsel appearing for the Petitioner and Mr. P.K. Nanda, learned counsel appearing for Opp. Party No. 1.
3. Learned counsel appearing for the Petitioner contended that vide the impugned order claim of the Petitioner for sanction of arrear salary w.e.f.17.01.2000 and sanction of RACP and promotion to the next higher-level post by counting his service from 17.01.2020 has been rejected without assigning any reason.
  - 3.1. It is contended that since the reason is the sole of any order and no reason has been assigned whatsoever while rejecting Petitioner's claim vide the impugned rejection available under Annexure-8, the same is not sustainable in the eye of law. In support of his submission, learned counsel for the Petitioner relied on the decisions of this Court reported in **2013 (Supp.1) OLR-736 and 2012(1) OLR-87**.
  - 3.2. This Court in Para-8 & 10 of the said judgment reported in **2012(1) OLR-87** has held as follows:-



*“8. Admittedly, the aforesaid order does not contain any reason for rejecting of the bid and cancellation of the tender. Law is no more res integra that an authority must pass a reasoned order indicating the material on which its conclusion are based.*

*10. Reason is the heartbeat of every conclusion. It introduces clarity in an order and without the same it becomes lifeless. [See **Raj Kishore Jha v. State of Bihar** (2003) 11 SCC 510]”.*

3.3. This Court in Para-13 of the said judgment reported in **2013 (Supp.1) OLR-736** has held as follows:-

*“13. After giving our anxious hearing to the matter and keeping in mind the position of law and the CCA Rules, we are constrained to hold that the learned Tribunal failed to exercise its jurisdiction in the matter. The impugned order of the Tribunal smacks of application of judicial mind and conscience. It is to be remembered that the reasons are the soul of orders. Non-recording of reasons could lead to dual infirmities; firstly, it may cause prejudice to the affected party and secondly, more particularly, hamper the proper administration of justice. The orders of the Court must reflect what weighed with the Court in granting or declining the relief claimed by the Petitioner”.*

4. Learned counsel appearing for the Opp. Party No. 1 also fairly contended that while rejecting the Petitioner’s claim, no reason has been assigned as such.

5. Having heard learned counsel appearing for the Parties and considering the submissions made and since it is found that claim of the Petitioner as made in his representation dtd.11.09.2019 for sanction of various benefits has been rejected without assigning any reason, placing reliance on the aforesaid decision, this Court is inclined to quash the rejection so available under Annexure-8. While quashing the same, this Court remits the matter to Opp. Party No. 1 to



take a fresh decision on the Petitioner's claim with passing of a reasoned and speaking order. Opp. Party No. 1 is directed to pass a fresh order within a period of two (2) months from the date of receipt of this order with due communication to the Petitioner.

5.1. It is however observed that while considering the Petitioner's claim as directed, relevancy and effect of the observation reflected in Annexure-9 be taken into consideration, if it is applicable to the Petitioner's case.

6. The writ petition is disposed of accordingly.

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

*Sneha*

Signature Not Verified

Digitally Signed  
Signed by: SNEHANJALI PARIDA  
Reason: Authentication  
Location: High Court of Orissa, Cuttack  
Date: 18-Aug-2025 10:40:25

