



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.25784 of 2025

Mahendra Maharana

....

Petitioner

Represented by Adv.—
Mr. Manoja Ku. Khuntia, Advocate

-Versus-

Union of India & Others

....

Opposite Parties

Represented by Adv.—
Mr. Abhisek Mohanty, CGC
on behalf of Mr. Rupesh Ku. Kanungo,
Sr. Panel Counsel.

CORAM:

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

AND

HON'BLE MR. JUSTICE MRUGANKA SEKHAR SAHOO

ORDER

12.12.2025

(Hybrid mode)

Order No.

- 02.** **1.** The petitioner challenges the order dated 24th November, 2023 passed by the learned Central Administrative Tribunal, Cuttack Bench, Cuttack in O.A. No.260/490 of 2023. By the said order, the O.A. filed by the petitioner-applicant was allowed. Operative portion of the order of the learned Tribunal reads thus:-

“Since, the order of the conviction has been quashed by the Hon’ble High Court of Orissa, which has been upheld by the Hon’ble Apex Court, and the removal was solely based upon his conviction in criminal case, we do not see any ground to allow the impugned order to stand. Hence, the impugned order dated 19.08.2011 (A/1) is hereby quashed. Consequently, respondents are directed to reinstate the applicant forthwith. Insofar as payment of backwages is concerned, it is held that



the applicant shall be entitled to notional fixation of pay from the date of his removal till the date of the order of the Hon'ble Apex Court dated 17.10.2023 and, thereafter, he would be entitled to backwages till his reinstatement."

The Said order granting the prayer of the petitioner-applicant is under challenge.

2. It is submitted by the learned counsel for the petitioner that the petitioner is entitled to the wages from the date, this Court in CRLA No.404 of 2011, upheld the challenge made by the petitioner by order dated 03.04.2023 and set aside the order of conviction pronounced by the Special Judge (C.B.I.), Bhubaneswar in Case No. RC/9(A)/06-BBS and T.R. No.14 of 2006.

3. It is submitted by the learned counsel for the petitioner that no counter was filed before the Tribunal. Therefore, the pleadings as far as the petition is concerned is filed before this Court.

4. Issue notice along with this order.

Mr. R.K. Kanungo, learned Senior Panel Counsel appears upon advance copy served. Let six extra copies of the petition be served on learned Senior Panel Counsel as sought for by learned CGC on behalf of opposite parties No.1 to 6.

5. List "For Admission" on 3rd February, 2026.

(Manash Ranjan Pathak)
Judge

(Mruganka Sekhar Sahoo)
Judge