



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 32414 of 2020

Nanda Kishore Dalai

....

Petitioner(s)

Represented by Adv.–

Mr. M.K. Mishra, Senior Advocate

-Versus-

**Accountant General (A&E) and
others**

....

Opp. Party(s)

Represented by Adv.

Mr. G.K. Acharya, Advocate (O.P.No.1)

Mr. Debaraj Mohanty, AGA (O.P.Nos.2 & 3)

CORAM:

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

AND

HON'BLE MR. JUSTICE SIBO SANKAR MISHRA

:CORAM:

HON'BLE MR. JUSTICE MANASH RANJAN PATHAK

AND

HON'BLE MR. JUSTICE SIBO SANKAR MISHRA

ORDER

09.02.2026

(Hybrid mode)

Order No.

- 12.**
- 1.** Heard Mr. M.K. Mishra, learned Senior Counsel appearing for the petitioner and Mr. Goutam Kumar Acharya, learned counsel for Opposite Party No.1. Also heard Mr. Debaraj Mohanty, learned Addl. Government Advocate for Opposite Parties No. 2 and 3.
 - 2.** Petitioner, a salaried Amin in the office of the District & Sessions Judge, Dhenkanal retired from service on 30.03.2019 on attaining the age of superannuation.
 - 3.** The District & Sessions Judge, Dhenkanal, O.P. No. 2 on 02.01.2020 forwarded the service book and pension papers of the



petitioner to the Accountant General (A&E) Odisha at Bhubaneswar, O.P. No.1.

4. After scrutiny of service book and pension papers of the petitioner, the O.P. No.1 by communication dated 24.02.2020 returned those to the O.P. No.2 on ground that — salaried Amin has no promotional hierarchy and the entry grade pay is Rs. 2,000/- and as such petitioner will get Grade Pay of Rs. 2,800/- in his 3rd financial up-gradation as per the provisions of the Revised Assured Career Progression Scheme dated 06.02.2013 (that came in to force on 01.01.2013). By the same communication dated 24.02.2020 the O.P. No.1 returned the service book and pension papers of the petitioner to the O.P. No. 2 and asked him to resubmit the same after necessary review.

5. It is seen that the grade pay of the petitioner at Rs. 4,200/- as on 01.01.2013 in his 3rd RACP was fixed as per the Revised Assured Career Progression Scheme of the State Government in the Finance Department dated 06.02.2013 (Annexure-3), which was given effect from 01.01.2013. We are of the view that the Finance Department of the State is a necessary party for proper adjudication of this case. But the Finance Department of the State is not a party in this petition.

6. As such, the petitioner is directed to implead the Finance Department, Government of Odisha represented by its Secretary as Opposite Party No.4 in this writ petition and in that regard allowed him to do the needful within the next five working days.

7. As Mr. Debaraj Mohanty, learned AGA has entered appearance on behalf of the newly impleaded O.P. No.4, no formal notice be issued to the said O.P. Petitioner shall serve requisite extra copies of the writ petition along with all the annexures to Mr.



Mohanty, learned AGA within next three working days. O.P. No. 1 shall also furnish copy of its counter affidavit with all its annexures to Mr. Mohanty, learned AGA within the said period.

8. We have noticed that the petitioner has retired from service on 30.03.2019 and his final pension pay order is yet to be issued, and that he is on provisional pension till date in terms of the interim order of the Court. Newly impleaded O.P. No. 4, i.e., Finance Department of the State shall file its affidavit on or before 06.03.2026 specifying petitioner's (Salaried Amin) grade pay as well as his pay as on 01.01.2013 in his 3rd RACP as per the Revised Assured Career Progression Scheme of the State Government in its Finance Department dated 06.02.2013 that came into force on 01.01.2013.

9. List this matter on 16th March, 2026 along with W.P.(C) No. 22717 of 2019 and W.P.(C) No. 6775 of 2020.

10. Interim order passed earlier shall continue till the next date of hearing.

11. A copy of this order be served on Mr. Debaraj Mohanty, learned Addl. Government Advocate for necessary compliance.

(Manash Ranjan Pathak)
Judge

(Sibo Sankar Mishra)
Judge

Ashok/Swarna

Signature Not Verified

Digitally Signed
Signed by: ASHOK KUMAR JAGADEB MOHAPATRA
Designation: Secretary
Reason: Authentication
Location: High Court of Orissa
Date: 12-Feb-2026 11:05:56

