



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.33142 of 2021

Bijay Kumar Behera

....

Petitioner

Mr. P. Mohanty, Advocate

-versus-

State of Odisha & ors.

....

Opposite Parties

Mr. B. Nayak, AGA

CORAM: JUSTICE SANJAY KUMAR MISHRA

ORDER

03.07.2026

Order No.

06.

This matter is taken up through hybrid mode.

2. Though the subject matter of this case is not in the assignment of this Court, on being specifically assigned by Hon'ble the Chief Justice, the matter is taken up for hearing.

3. As is revealed from the record, prior to preferring the present writ petition, the Petitioner had approached this Court in WP(C) No.24083 of 2019 which got disposed of on 06.12.2021, and WP(C) No.18310 of 2020 which got disposed of 31.08.2020 directing the authorities to consider the representation of the Petitioner.

4. However, the said representation of the Petitioner dated 15.03.2019 was rejected vide the impugned order dated 11.02.2021.

5. Though a counter affidavit has been filed by the State Opposite Party No.1, followed by rejoinder affidavit by the



Petitioner, during hearing of the case, learned Counsel for the Petitioner submits that the issues involved in the present writ petition is squarely covered by a recent common judgment passed by the Division Bench of this Court dated 20.04.2026 in WPC No.329 of 2012 and WPC(OAC) No.1378 of 1994, preferred by similarly placed 105 numbers of casual workers working in the Opposite Party No.2 Establishment.

6. On being asked, Mr. Nayak, learned AGA fairly admits the said submission to be correct. However, Mr. Nayak submits, though the Petitioner's case is squarely covered by the ratio decided in the judgment dated 20.04.2026 (supra), but factually the case of the Petitioner is slightly different.

6.1. Mr. Nayak further submits, as per the recent instruction received from the Opposite Party No.2, i.e., the Director of Printing, Stationery & Publication, Odisha, Cuttack, a letter has been written to the Principal Secretary to Government, Commerce and Transport Department, Odisha, Bhubaneswar vide letter No.3322/PSP dated 24.04.2026/Legal-39/2025 seeking necessary instruction for compliance of the said common judgment dated 20.04.2026 (supra).

6.2. Mr. Nayak, learned AGA in support of his submissions files a photocopy of the said letter dated 20.04.2026, which is taken on record.

6.3. Mr. Nayak, learned AGA prays for an adjournment to take further instruction from the Opposite Party No.2 as to the outcome of such communication made to the Principal



Secretary to Government, Commerce and Transport Department vide letter dated 24.04.2026.

7. At this stage, learned Counsel for the Petitioner submits that the Petitioner, who is serving as a casual employee since 1994, is at the verge of retirement, his date of birth being 19.06.1969.

8. Hence, the matter be listed for further hearing and final disposal during next sitting of this Bench, if any, in the week commencing from 20th July, 2026.

9. Instruction regarding implementation of the common judgment passed by the Division Bench of this Court dated 20.04.2026 passed in WPC No.329 of 2012 and WPC(OAC) No.1378 of 1994, pursuant to letter dated 20.04.2026, be taken in the meantime.

10. Learned Counsel for the parties are directed to file their respective date chart, written notes of submission with citations unfailingly before the next date of listing after exchanging copies between the parties.

(S.K. MISHRA)
JUDGE

Banita

Signature Not Verified

Digitally Signed
Signed by: BANITA PRIYADARSHINI PALEI
Designation: SR. STENOGRAPHER
Reason: AUTHENTICATION
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 04-Jul-2026 12:39:50

