



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.26081 of 2019

Anil Kumar Choudhury & Petitioners
anr.

Mr. D.K. Panda, Advocate

-versus-

State of Odisha & ors. Opposite Parties

Mr.K.K. Mishra, Advocate

CORAM: JUSTICE SANJAY KUMAR MISHRA

ORDER

29.10.2025

Order No.

21.

This matter is taken up through hybrid mode.

2. Heard learned Counsel for the parties.

3. The prayer made in the present writ petition is to set aside the rejection order dated 22.10.2019 passed by the Opposite Party No.1 and to direct the said Opposite Party to immediately carry out the decision of the Board under Annexure-5.

4. Learned Counsel for the Petitioner, draws attention of this Court to the contents of sub-para 1.2, under para 1 of the Resolution of the Minutes of Meeting of the State Youth Welfare Board, Orissa held on 25.10.1991, which is the basis to pray so in the writ petition. The said Para, being relevant, is extracted below:-

“1.2. The proceedings of the last meeting was approved except some modifications, on extending service



*benefits to the employees of the State Youth Welfare Board meeting held on 25.10.91 that the decision on extending **service benefits like Pension, Surrender leave, L.T.C. etc. would be taken in the next meeting of the Board. On discussion the Board decided that the above service benefits would be extended to the employees of the State Youth Welfare Board at par with State Govt. employees, to be effective from 1.4.91, not from 1.1.66 in view of resource crunch of the Board.***"

(Emphasis Supplied)

5. It is also ascertained from the Counter filed by the State Opposite Party Nos.1 to 3 that a stand has been taken therein that there is no Government decision to introduce Pension Scheme for employees of the Board. Averment made in para 14 of the Counter Affidavit, which is contrary to the stand taken by the State in Para 7 of the said Counter, being relevant, is reproduced below,:-

*"14. that in reply a Paragraph-15 and 16 it is humbly submitted that it is submitted that, the financial benefit like Pay Scale, pay revision and fixation of superannuation age of the employees of the Board has been decided by the Board itself which is to be met from the Grant-in-Aid of the State Government. There is no Government decision to introduce any pension scheme for the employees of the Board. **Extension of the pensionary benefit to the Board employees is an issue between the State Youth Welfare Board and the Petitioners, hence the Board is the competent authority to take***



appropriate decisions in this regard.”

(Emphasis Supplied)

6. Hence, learned State Counsel is directed to take specific instruction from the concerned Department of the State Government regarding such conflicting stand taken in the Counter Affidavit regarding extending the pensionary benefits in favour of the Petitioner and file an affidavit to the said effect within two weeks' hence.

7. The matter be listed in the week commencing from 15th December, 2025.

Banita

(S.K. MISHRA)
JUDGE

Signature Not Verified

Digitally Signed
Signed by: BANITA PRIYADARSHINI PALEI
Designation: SR. STENOGRAPHER
Reason: AUTHENTICATION
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 30-Oct-2025 17:08:24