



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

**W.A. No.2384 of 2023**

***State of Odisha & Another*** ..... ***Appellants***

Represented By Adv. –  
Mr. D. Mohanty, AGA

*-versus-*

***Basanta Kumar Parida & Another*** ..... ***Respondents***

Represented By Adv. –  
Mr. C.R. Pattnaik, Advocate  
for Res. No.1  
Mr. S.K. Patra, Advocate  
for Res. No.2

**CORAM:**  
**JUSTICE MANASH RANJAN PATHAK**  
**JUSTICE MRUGANKA SEKHAR SAHOO**

**ORDER**  
**04.12.2025**  
(Hybrid Mode)

**Order No.**  
**04.**

**I.A. No.6493 of 2023**

1. The order dated 13.11.2023 passed by the Coordinate Bench not condoning the delay of 335 days in filing the Writ Appeal has been set aside by the Hon'ble Supreme Court in Civil Appeal No.13978 of 2024 with the following order:

*“2. Heard Mr. Vishal Meghwal, learned counsel appearing for the appellants. Also heard Mr. Nilakanta Nayak, learned counsel appearing for the respondent No.1.*

*3. As the Division Bench of the High Court dismissed the State's Writ Appeal on the ground of delay, submission is made by the learned Government counsel for remanding the matter back to the High Court so that the merit of the*



*State's Writ Appeal, can be considered by the Division Bench.*

*4. The above prayer is not opposed by the learned counsel for the respondent No.1, who submits that similar direction was issued by this Court on 21.11.2023 in the Civil Appeal No.7711 of 2023.*

*5. Noting the above joint submission of the learned counsel for the parties, the impugned order dated 13.11.2023 is set aside. Before the High Court, the Writ Appeal stands restored to its original number. The parties are at liberty to request the High Court for early disposal of the matter."*

The I.A. has been restored after remand by the Hon'ble Supreme Court. Since the Hon'ble Supreme Court has already set aside the order passed by the Coordinate Bench not condoning the delay of 335 days, no further orders are necessary.

2. The I.A. is favoured in view of the direction of the Hon'ble Supreme Court dated 06.12.2024 as indicated above.

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3. We had issued notice to the respondent. Learned counsel for the respondent requests for extra copy of the appeal memo, I.A. and other connected papers.

Copy of the appeal memo, I.A. and other connected papers shall be served on the learned counsel for the respondent within three working days.

4. It is submitted by learned Additional Government Advocate and also endorsed by the learned counsel for the respondent that the matter pertains to grant of pension to the work charged employees which is pending adjudication before this Court in Writ Appeals after remand by the Hon'ble Supreme Court in **State of Odisha &**



**Others** vrs. **Sudhansu Sekhar Jena** on 21.02.2025 passed in SLP(C) No.2146 of 2024 and similar matters.

5. List this matter on 2<sup>nd</sup> February, 2026 under the category 'for admission.'

**I.A. No.6494 of 2023**

6. Pursuant to the order of the Hon'ble Apex Court dated 06.12.2024, the matter is to be heard on merits. Since learned counsel for the respondent is on record, no further notice be issued.

7. As an interim measure, there shall be stay operation of the order dated 16.09.2022 passed in W.P.(C) No.23398 of 2022 till the next date of hearing.

*(Manash Ranjan Pathak)*  
*Judge*

*(Mruganka Sekhar Sahoo)*  
*Judge*