



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.27599 of 2024

Dhruba Charan Pradhan

.....

Petitioner

Represented by Adv. -
Soubhagya Sundar Das

-versus-

State Of Odisha and others

.....

Opposite Parties

Mr. U.C. Jena, ASC

CORAM:

**THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA**

ORDER

26.02.2026

Order No.

- 02.
1. This matter is taken up through Hybrid mode.
 2. Heard learned counsel for the petitioner as well as learned counsel appearing for the State-Opposite Parties. Perused the writ petition as well as documents annexed in the Writ Petition.
 3. The present writ petition has been filed by the Petitioner with a prayer to direct the Opposite Party Nos.3 & 4 to sanction/disburse provisional pension till conclusion/finalization of Criminal Appeal pending before this Court.
 4. Learned counsel for the Petitioner submits that while the Petitioner was in service, he was entangled in a vigilance case and when the Petitioner was convicted in the said vigilance case, he has preferred a criminal appeal bearing CRLA No.1360 of 2023, which is stated to be pending before this Court. It is further contended by the learned counsel for the Petitioner that during pendency of the vigilance case in his favour provisional pension was sanctioned vide



order dated 22.03.2022 passed by Opposite Party No.3. However, after the order was passed by the trial court convicting the Petitioner, his provisional pension has been stopped by the said Opposite Party No.3. It is further contended by the learned counsel for the Petitioner that the Petitioner is aged about 68 years and it is not known when the appeal will be taken up for hearing and in such circumstances, the Petitioner is facing financial difficulties at the fag end of his life. In such view of the matter, learned counsel for the Petitioner prays for a direction to the authorities to provide him provisional pension till his appeal is heard by this Court.

5. Learned Additional Standing Counsel appearing for the State-Opposite Parties submits that the Petitioner has already been convicted by the trial court and his appeal being pending, he is not entitled to get any pensionary and retiral benefits. Therefore, it is submitted that the writ petition is devoid of merit.

6. Considering the submissions made by the respective parties, this Court directs the Opposite Party No.3 to the extent that the provisional pension shall be paid to the Petitioner till final decision taken on his appeal bearing CRLA No.1360 of 2023 by this Court.

7. With the aforesaid observation/direction, the writ petition is disposed of.

8. Urgent certified copy of this order be granted on proper application.

(Aditya Kumar Mohapatra)
Judge