



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.26742 of 2024

Rabindra Kumar Biswal

.....

Petitioner

Represented by Adv. –

Mr. Bibekananda Bhuyan

-versus-

State of Odisha and others

.....

Opposite Parties

Mr. D.K. Sahoo, AGA

CORAM:

THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

23.02.2026

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned Additional Government Advocate appearing for the State- Opposite Parties. Perused the writ petition as well as the documents annexed thereto.
3. The present writ petition has been filed by the Petitioner with the following prayers:-

“Under these circumstances the Petitioner prays that your Lordships would be graciously pleased to admit the Writ Petition, issue Rule NISI, calling upon the Opp. Parties to show cause as to why the Opp. Party No.3 shall not be directed to disburse the arrear salary for the period of 28.02.2004 to 31.12.2005 and why he has not taken a decision in furtherance to the order dtd. 28.01.2020 passed in W.P.(C) No.29636/2019.

If the Opp. Parties fail to show cause or



shown

insufficient cause, then the said Rule may be made absolute thereby issuing a Writ of Mandamus directing the Opp. Party No.3 to disburse the arrear salary due to the Petitioner for a period of 28.02.2004 to 31.12.2005.

And further be pleased to pass any other writ/writs, order/orders, direction/directions as would be deemed fit and proper to grant justice to the petitioner and allow the writ application with cost though out.”

4. It is submitted by the learned counsel for the Petitioner that being aggrieved by the inaction of the Opposite Parties in not sanctioning and disbursing the arrear salary as is due and admissible to the Petitioner, the Petitioner has approached this Court by filing the present writ petition. In course of his argument, learned counsel for the Petitioner contended that although the Petitioner has approached the District Education Officer, Sundargarh Circle, Sundargarh, Opposite Party No.3 by filing a detailed representation dated 05.11.2023 at Annexure-3, however, no decision has been taken on the same.

5. Learned counsel for the State, on the other hand, contended that the representation referred to by the learned counsel for the Petitioner was filed in the year 2023. In such view of the matter, learned counsel for the State contended that in the event this Court grants liberty to the Petitioner to file a fresh representation before the competent authority, i.e. Opposite Party No.3 with further direction to the Opposite Party No.3 to



consider the same in accordance with rule/guidelines/notifications within a stipulated period of time, he will have no objection to the same.

6. Considering such submission and without expressing any opinion on the merit of the case, this Court disposes of the writ petition permitting the Petitioner to make a fresh representation taking therein all the grounds along with the supporting documents before the Opposite Party No.3 within a period of three weeks from today and in the event such representation is filed before the Opposite Party No.3, the Opposite Party No.3 shall do well to consider and dispose of the same in accordance with law by passing a speaking and reasoned order within a period of eight weeks from the date of filing of such representation. The decision so taken on such representation shall be communicated to the Petitioner within a week thereafter.

(Aditya Kumar Mohapatra)
Judge

Debasis