



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.31120 of 2023

Madhusudan Pal

....

Petitioner

Mr. K.P. Mishra, Sr. Adv.
with Ms. S. Maity, Advocate

-versus-

**State of Odisha and
Others**

....

Opp. Parties

Mr. C.K. Pradhan, AGA
Mr. S.K. Patra, Advocate for
O.P. No.3

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
24.02.2026**

Order No

05. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard learned counsel for the parties.

3. The present Writ Petition has been filed *inter alia* with the following prayer: -

“Under the aforesaid facts and circumstances of the case, it is therefore, prayed that this Hon'ble Court may graciously be pleased to:

(i) admit and allow this Writ Application;

(ii) direct/order the Opp. Party NO.4 to fix the pay of the Petitioner on Pay Band-2, Level-II, Cell No.1 Of Pay Matrix of O.R.S.P. Rules, 2017 as per Annexure-3 and accordingly resubmit the revised Pension Papers of the Petitioner to the Opp. Party No.3 for drawal of lawful pension of the Petitioner



(iii) quash the impugned Order, dtd. 20.09.2022, passed by the Opp. Party NO.4 as at Annexure-8, by concurrently holding the same as bad, illegal and not sustainable in the eye of law;

(iv) direct / order the Opp. Party No.4 to give him an opportunity of exercising his Option in terms of the order dated 08.04.2022, passed by the Opp. Party NO.6 in terms of Annexure-2;

(v) pass such other order(s) / issue direction(s) as may be deemed fit and proper in the bona fide interest of justice.”

4. However, in course of hearing, learned Senior Counsel appearing for the petitioner fairly contended that basing on Annexure-9 so issued by Opp. Party No.3, Opp. Party No.4 has not yet taken any action with submission of Revised Pension Papers of the petitioner.

4.1. It is contended that such a letter has been issued by Opp. Party No.3 without giving due opportunity of hearing to the petitioner and Pay as well as Grade Pay of the petitioner has been reduced without following principle of natural justice.

5. Learned Addl. Govt. Advocate to the submission made by learned Senior Counsel for the petitioner, contended that if the request available at Annexure-9, has not yet been considered and disposed of by the Opp. Party No.4 and pension paper has not yet been submitted, let petitioner apprise his position before the said authority prior to submission of the Revised Pension Paper.



6. Having heard learned counsel for the parties, considering the submission made and taking into account the request available under Annexure-9, this Court permits the petitioner to move Opp. Party No.4 for re-consideration of the request made by the Accountant General-Opp. Party No.3 in his letter under Annexure-9 by making a detailed application against such reduction of the Pay as well as Grade Pay.

6.1. It is observed that if any such application will be moved within a period of 4 (four) weeks hence, Opp. Party No.4 shall take a lawful decision on the same by giving due opportunity of hearing to the petitioner and re-submit the pension papers accordingly within a period of 2 (two) months from the date of receipt of the application.

7. The Writ Petition stands disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Basudev