



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 1773 of 2025

State Of Odisha And Ors.

.... Appellants
Mr. S. B. Mohanty, AGA

-Versus-

Kupuli Haribandhu Reddy

.... Respondent

CORAM:

**JUSTICE KRISHNA SHRIPAD DIXIT
JUSTICE CHITTARANJAN DASH**

ORDER

Order No.

25.03.2026

I.A. No.4217 of 2025

01. There is delay of 148 days brooked in filing the writ appeal. An application in I.A. No.4217 of 2025, supported by affidavit, accompanies the appeal memo, wherein delay is plausibly explained. Condonation of delay would not prejudice case of the other side, inasmuch as matter would be heard on merit. Not condoning will oust the Appellants from Court, which Courts exercising writ jurisdiction in appeal not do.

In the above circumstances, application in I.A. No. 4217 of 2025 having been favoured, delay in filing the writ appeal is condoned.

I.A. is thus disposed off.

(Krishna Shripad Dixit)
Judge

(Chittaranjan Dash)
Judge



W.A. No. 1773 of 2025 & I.A. No.4218 of 2025

02. Learned AGA-Mr. Mohanty, drawing our attention to the provisions of Rule 6 of Pension Rules, 1992, submits that once an employee is convicted for an offence involving moral turpitude, the Government can withhold the pension and therefore, this aspect having not been rightly discussed in the right perspective by the learned Single Judge, the impugned order needs to be stayed. He also tells us that the impugned order has a lot of mischief potential, inasmuch as the class of employees, who have been convicted but only admitted to bail, may seek the same benefit on the principle of parity, there being no stay of conviction itself, in the light of the Apex Court decision in *Navjot Singh Sidhu v. State Of Punjab & Anr* (2007) 2 SCC 574. There is force in this submission.

In the above circumstances, the subject application in I.A. No.4218 of 2025 supported by affidavit having been favoured, there shall be stay of the impugned order until further orders.

Issue emergent notice to the Respondent by speed post in the main case as well as in the I.As., accepting one set of process fee. The notice be made returnable within six weeks. Steps be taken within three working days.

Call this matter immediately after service of notice.

(Krishna Shripad Dixit)
Judge

(Chittaranjan Dash)
Judge