



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.35055 of 2025

Brundaban Sa

....

Petitioner

Mr. R. Samal, Advocate

-Versus-

State of Odisha & Others

....

Opposite Parties

Mr. S.B. Mohanty, AGA

CORAM:

JUSTICE DIXIT KRISHNA SHRIPAD

ORDER

10.12.2025

Order No.

01.

Heard learned counsel appearing for the parties.

2. The short grievance of the petitioner is as to non-granting of MACP benefit after he has put in a particular number of years of service under the extant policy. Learned counsel for the petitioner submits that, that benefit ought to have been granted to his client and not giving him is unjustified.

3. Learned AGA-Mr. Mohanty appearing for the O.Ps. submits that there cannot be a Mandamus, unless there is demand and rejection. That standard books of law, like the one by Justice B.L. Hansaria's "Writ Jurisdiction". This is correct position.

In the above circumstances, the writ petition is disposed off reserving liberty to the petitioner to make appropriate application to the concerned authorities, supported by necessary documents within two weeks and if such a representation is made, decision shall be taken by the Jurisdictional Authorities and result thereof shall be informed to the petitioner within an outer limit of six



weeks. In that connection, all contentions of the parties are kept open. The consideration shall be in the light of the decision of a coordinate Bench of this Court in *Ashok Kumar Mohapatra -vrs.- State of Orissa* (O.A.No.1668 of 2017 disposed of vide judgment dated 09.10.2018 and confirmed by this Court in W.P.(C) No.6698 of 2020 and further confirmed by the apex Court in SLP(C) No.15573 of 2020.

It is open to Opp. Party No.2 to solicit any information or document from the side of the petitioner, as are required for due consideration of the subject representation; however in that guise, delay shall not be brooked.

Now, no costs.

Web copy of this order to be acted upon by all concerned.

(Dixit Krishna Shripad)
Judge

Madhusmita