



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). NO. 32349 OF 2024

Dushmanta Kumar Dhal ***Petitioner***

Ms. Saswati Mohapatra, Advocate

-versus-

State of Odisha and others ***Opp. Parties***

Mr. Debashis Tripathy,
Additional Government Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

JUSTICE SANJAY KUMAR MISHRA

ORDER

03.04.2025

Order No.

4. 1. This matter is taken up through hybrid mode.
2. The issue involved in this writ petition is with regard to applicability of the old pension scheme, which was prevailing prior to 1st January, 2005.
3. On perusal of the order dated 7th April, 2018 (Annexure-3) passed by learned District Judge, Cuttack, it is apparent that the continuous contractual services of Shri Dushmanta Kumar Dhal, Driver (the Petitioner) from the date of his joining, i.e., 11th October, 2004 till his appointment on regular basis, i.e., on 1st July, 2008 was directed to be counted as qualifying service for the purpose of pension in view of Rule 14 of the OCS Pension Rules 1992. This order appears to have not been challenged. Thus, *prima facie*, it appears that the Petitioner would be entitled to pension in terms of the OCS Pension Rules 1992.
4. Mr. Tripathy, learned Additional Government Advocate prays for an adjournment to take instruction on the same and file counter affidavit, if so advised.



5. Put up this matter on 21st April, 2025, as prayed for.

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge

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