



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 27 of 2025

Lokanath Mahapatra ***Appellants***
Mr. Pravash Chandra Mahapatra, Advocate

-versus-

State of Odisha and Others ***Respondents***
Mr. S. B. Mohanty, AGA
Mr. S. K. Patra, Panel Counsel
For R-5

CORAM:
JUSTICE KRISHNA SHRIPAD DIXIT
JUSTICE CHITTARANJAN DASH

ORDER

24.02.2026

Order No.

11. This Intra-Court Appeal by a retiree calls in question the order dated 10.07.2024, whereby the learned Single Judge of this Court has dismissed his W.P.(C) No.34311 of 2022 broadly holding a finding that the Appellant was holding the post of Sanitary Inspector from which he retired.

2. Learned counsel for the Appellant vehemently argues that there is abundant material on record to demonstrate that his client had retired in the post of Multi Purpose Health Supervisor on 30.06.1994 and therefore, his terminal benefits have to be determined keeping that post in view. He further tells us that the learned Single Judge having misconstrued everything, the impugned order is liable to be set at naught.

3. Mr. Mohanty, learned AGA represents the official Respondent Nos.1 to 4. Learned Panel Counsel, Mr. S. K. Patra represents the Respondent No.5. They make submissions in justification of the impugned order.

4. Having heard learned counsel for the parties and having perused the Appeal papers, we decline indulgence in the matter



broadly agreeing with the findings of the learned Single Judge to the effect that the Appellant had lien to the Post of Sanitary Inspector regardless of where he worked howsoever long. For the purpose of determination of terminal benefits, what one has to see is the post to which retiree holds the lien, when he demits the office on attaining the age of superannuation in enormity process. He was working in some other post of higher grade, is absolutely irrelevant. This reasoning having animated the impugned order in articulate way, the same cannot be faltered.

5. The vehement submission of learned counsel for the Appellant that a similarly circumstanced employee was accorded the benefit which his client is claiming and therefore, on principle of parity the same needs to be extended, does not impress us. A person who claims parity in service jurisprudence has to show not only that a particular employee has been granted benefit, but also such conferment is perfectly in accord with law. Much is not necessary to specify.

In the above circumstances, Appeal being devoid of merits is liable to be rejected and accordingly it is, costs having been made easy.

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

(Krishna Shripad Dixit)
Judge

(Chittaranjan Dash)
Judge