



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.41382 of 2023

Ratnakar Sethy

....

Petitioner

Ms. P. Rath, Sr. Advocate

-versus-

State of Odisha & Ors.

....

Opposite Parties

Mr. C.K. Pradhan, AGA

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

22.01.2026

Order No.

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

2. Heard.

3. Learned Senior Counsel appearing for the Petitioner contended that the proceeding in question was initiated against the Petitioner under Rule-7 of the OCS (Pension) Rules, 1992 taking into account the fact that Petitioner was made to retire vide office order dtd.15.03.2022 in terms of the provisions contained under Rule-71(a) of the Orissa Service Code.

4. It is however contended that such order passed on 15.03.2022 has already been set aside by this Court in its order dtd.25.11.2025 in W.P.(C) No.12438 of 2022.



4.1. It is accordingly contended that since the order of premature retirement has already been set aside by this Court, the proceeding initiated under Rule-7 of the OCS (Pension) Rules, 1992 is no more maintainable.

5. Learned Addl. Government Advocate for the State is directed to obtain instruction on the same.

6. As requested, list this matter on 13th February, 2026.

7. Interim order passed earlier shall continue till the next date.

8. Office is directed to delete the name of Mr. S. Rath, learned counsel and his associates from the cause list.

(Biraja Prasanna Satapathy)
Judge

Subrat