



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.16246 of 2025
CNR No.ODHC010364492025

Jugal Kishore Baral

....

Petitioner

Mr. D.K. Patnaik,
Advocate

—
-versus-

**State of Odisha and
Others**

....

Opp. Parties

Mr. S. Das, ASC

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

18.08.2026

Order No

- 02.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
- 2.** Heard learned counsel for the parties.
- 3.** The present Writ Petition has been filed *inter alia* with the following prayer:-

"It is, therefore, humbly prayed that this Hon'ble Court may graciously be pleased to issue Rule Nisi calling upon the Opp. Parties to show cause as to why appropriate writ/writs shall not be issued for quashing the impugned rejection order dated 06.02.2025 under ANNEXURE-14 and further directing the Opp. Parties to regularize the services of the petitioners with effect from their initial date of engagement for the purpose of pension and pensionary benefits and give them arrear pension and other pensionary benefits from the date of their retirement treating the entire period of service as regular employees and on perusal of causes shown if any or upon insufficient causes shown make the said rule absolute and



may pass such other order/orders as deemed just and proper.

And for this act of kindness, the petitioners shall as in duty bound, ever pray.”

4. It is contended that even though the petitioner was initially engaged as DLR and subsequently brought over to the work charged establishment and lastly to the regular establishment but his claim to get the benefit of Pension and other pensionary benefits has been rejected vide the impugned order dated 06.02.2025 under Annexure-14.

4.1. It is contended that since similar issue has been decided by this Court in its judgment dated 20.05.2026 in W.P.(C) No.37563 of 2025, the impugned order is no more sustainable in the eye of law and liable for interference by this Court.

5. Learned Addl. Standing Counsel on the other hand relying on the stand taken in the counter affidavit, contended that since the petitioner continued in the regular establishment for a short period and the same is less than 10 years in view of the provisions contained under OCS(Pension) Rules, 1992, petitioner is not eligible and entitled to get the benefit which has been rightly rejected vide the impugned order dated 06.02.2025 under Annexure-14.

6. Having heard learned counsel for the parties and considering the submission made, this Court finds that petitioner was initially engaged as DLR and subsequently brought over to the work charged



establishment vide order dated 15.01.2011 under Annexure-2. While so continuing, petitioner was brought over to the regular establishment vide order dated 30.09.2018 under Annexure-3. Petitioner while continuing in service in the regular establishment, retired from service on attaining the age of superannuation on 31.07.2024. Taking into account the judgment passed by this Court in W.P.(C) No.37563 of 2025, this Court is of the view that the present case is covered by the said judgment.

6.1. In view of the same, this Court while quashing the impugned order dated 06.02.2025, so passed by Opp. Party No.1 under Annexure-14, dispose of the Writ Petition in the light of the judgment dated 20.05.2026.

7. The Writ Petition stands disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Basudev

Signature Not Verified

Digitally Signed
Signed by: BASUDEV SWAIN
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 25-Aug-2026 11:53:55

