

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13255 of 2022

Arjuna Charan Mahanta *Petitioner*
Mr. Sidheswar Mallik, Advocate
-versus-
State of Odisha and others *Opposite Parties*
Mr. P.C. Das, ASC

**CORAM:
JUSTICE A.K. MOHAPATRA**

**ORDER
04.07.2022**

Order No.

- 01.
1. This matter is taken up through hybrid arrangement (virtual/physical mode).
 2. Heard learned counsel for the Petitioner as well as learned counsel for the State.
 3. The Writ Petition has been filed by the Petitioner with the following prayer:

“Under the aforesaid facts and circumstance, the Petitioner humbly prays that this Hon’ble Court may graciously be pleased to,

I) Direct/order that the Petitioner shall be treated as regular employee with effect from the date of completion of five years in work charge establishment and shall be allowed pension and other post retirement benefits and the differential arrear dues shall be paid within a stipulated period with admissible interest thereon.

II) Pass such other orders as may be deemed fit and proper in the interest of justice.

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

4. It is submitted by learned counsel for the Petitioner that by virtue of the order of the Odisha Administrative Tribunal, similar

benefits have been given to the persons. Further the said benefits have not been extended to the present Petitioner. In the aforesaid context, learned counsel for the Petitioner has also drawn the attention of this Court to the orders wherein similar benefits have been extended to the persons therein under Annexure-10 series. Further learned counsel for the Petitioner has relied upon the judgment of this Court in the case of ***Suresh Chandra Parida vs. State of Odisha and others*** passed in ***W.P.(C) No.19590 of 2011***.

5. Learned counsel for the Petitioner further submits that although Petitioner is lawfully entitled to the benefits, which have been granted to the similar circumstanced persons, but he has been deprived of the same.

6. Learned counsel for the State on the other hand submits that if that is so, Petitioner may approach the Authority taking support of the judgment in his case. In the event, the Petitioner approaches the Authority along with a copy of the order of this Court and the judgment relied upon by him, Opposite Party No.2-Authority shall do well to consider the same and further examine as to whether Petitioner is entitled to the same benefits as was given to the similar circumstanced persons or not. In the event Petitioner comes under the said benefits, he shall be granted the benefits within a period of two months from the date of such decisions

7. With the aforesaid observation, the writ petition stands disposed of.

8. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge