

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OA) No. 1116 of 2019

Rajesh Kumar Padhy

.....

Petitioner

Mr. R.K. Sahoo, Advocate

Vs.

State of Odisha and others

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

30.09.2022

Order No.

02

This matter is taken up through hybrid mode.

2. Heard learned counsel for the parties.

3. Learned counsel for the petitioner contended that the ratio of the decision of the apex court in the case of ***Malaya Nanda Sethy v. State of Odisha and others***, Civil Appeal No. 4103 of 2022 arising out of S.L.P. (Civil) No. 936 of 2022 disposed of on 20.05.2022 is fully applicable to the present case. Therefore, the case of the petitioner may be considered keeping in view the principle decided in the said case. Learned counsel for the state has no objection to the said submission of learned counsel for the petitioner.

4. In view of the above, this writ petition stands disposed of directing the opposite parties to consider the case of the petitioner in the light of the principle decided in the case of ***Malaya Nanda Sethy*** (supra) and accordingly extend the benefit to the petitioner within a period four months from the date of communication of the order.

Arun

(DR. B.R. SARANGI, J.)