

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No.32106 of 2022**

***Rabindra Padhy***

....

***Petitioner***

***Mr. P.K. Panda, Advocate***

***-versus-***

***State of Odisha and others***

....

***Opposite Parties***

***Mr. N.K. Praharaj, A.G.A.***

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**30.11.2022**

**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 Additional Government Advocate.

3. Considering submissions made by the parties, this Court finds, there is no dispute on the applicability of the decision in the case of ***Biharilal Barik Vrs. State of Odisha (O.A. No.520 of 2014)*** to the case of the petitioner. It is, in this view of the matter, this Court in disposal of the writ petition directs O.P. No.3 to take a lawful decision on the claim of the petitioner looking to the decision in the case of ***Biharilal Barik*** (supra) and release appropriate benefit in favour of the petitioner within a period of one month from the date of communication of a copy of this order by the petitioner, failing which, it shall carry 7% interest all through.

4. Till final decision is taken on the claim of the petitioner, there

shall be no recovery in terms of Annexure-5.

Urgent certified copy of this order be granted on proper application.

**( A.K. Mohapatra )**  
**Judge**

Jagabandhu

