IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) Nos. 10853 & 10822 of 2026

Gopinath Mohanty	***.....***	***Petitioner***
		Mr. M. Mishra, Advocate
	-versus-	
Principal SECY, Water Resources Dept., Odisha & Ors.	***.....***	***Opposite Parties***
		Mr. S. Das, ASC

CORAM:
THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY
ORDER
10.04.2026

Order No. 01

1. This matter is taken up through hybrid mode.

2. Heard Mr. M. Mishra, learned counsel appearing for the Petitioners and Mr. S. Das, learned Addl. Standing Counsel appearing for the Opp. Parties.

3. The present writ petition has been filed inter alia challenging notice dtd.26.03.2026 so issued by the Sub-Divisional Officer Potteru Right Canal Sub-Division Kaimela-Opp. Party No. 3, in directing the Petitioners to vacate the quarter in his occupation within a period of 15 days from the date of receipt of this order, failing which action will be taken as per Rules.

4. Learned counsel appearing for the Petitioner contended that since Petitioner on the face of his long continuance was never regularised nor sanctioned with the benefit of pension, he approached this Court claiming the benefit of regularization and consequential sanction of pension and other pensionary benefits.

4.1. It is contended that on the face of the order passed by this Court his claim to get the benefit of regularization and pension is yet to be considered. Since Petitioner's claim to get the benefit of regularization and consequential sanction of pension has not yet been considered, the impugned notice needs interference of this Court.

5. Mr. S. Das, learned Addl. Standing Counsel on the other hand contended that sanction of pension after regularization in terms of the earlier order is not a ground to remain in occupation of a quarter, as admittedly Petitioner is a retired employee. Accordingly, it is contended that no interference is called for with the impugned notice.

6. At this point of time, learned counsel appearing for the Petitioner fairly contended that if three (3) months time will be allowed, Petitioner will vacate the quarter in his occupation and he is ready to furnish an undertaking in that regard before Opp. Party No. 3.

7. Learned Addl. Standing Counsel has no serious objection to the submission made with regard to vacation of the quarter within a period of three (3) months.

8. Having heard learned counsel appearing for the Parties and considering the submission made, this Court while disposing the writ petitions without interfering with the impugned notice, observe that if Petitioner files an individual undertaking before Opp. Party No. 3, with the undertaking that he will vacate the quarter by 15th June, 2026, no coercive action be taken against the Petitioners till the said date. However, if by 15th June, 2026 Petitioner does not vacate the quarter suo moto, he can be evicted without issuance of any fresh notice, but in terms of the impugned notice.

9. The writ petition accordingly stands disposed of.

Photo copy of the order be placed in the connected case record.

(BIRAJA PRASANNA SATAPATHY)
Judge

Sneha

Signature Not Verified
Digitally Signed
Signed by: SNEHANJALI PARIDA
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 15-Apr-2026 18:40:03