IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 25137 of 2025
(CNR No. ODHC010639162025)

Mayadhar Sahoo …. **Petitioner**
Mr. L. Mohanty, Advocate

-Versus-

State of Orissa and others …. **Opposite Parties**
Mr. S.Mishra, ASC

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
29.10.2026

Order No.

04. 1. Heard Mr. Mohanty, learned counsel for the petitioner and Mr. Mishra, learned ASC for the State.

2. Instant writ petition is filed by the petitioner challenging the order of rejection dated 6th August, 2025 under Annexure-7 issued by opposite party No.3 taking into consideration the decision of this Court in **State of Orissa and others Vrs. Ashok Kumar Mahapatra and another** in W.P.(C) No.23931 of 2017 dated 4th April, 2022 and also ratio decided in **Satyaranjan Das and others Vrs. State of Orissa and others, 2022(I) OLR (9)** and to issue a direction to grant 2nd RACP w.e.f. 16th November, 1999 and 3rd ACP benefit in his favour on and from 16th November, 2002 on completion of 30 years of service from the date of initial appointment dated 16th November, 1972 on the grounds stated.

3. Mr. Mohanty, learned counsel for the petitioner, referring to the decision in **Ashok Kumar Mahapatra** (supra),

submits that such financial benefits are to be extended to the petitioner from the date of initial appointment and not from the date of training w.e.f. 22nd June, 1979.

4. Recorded the submission of Mr. Misha, learned ASC for the State.

5. Gone through the decision in **Ashok Kumar Mahapatra** (supra). The petitioner demands 2nd RACP and 3rd ACP benefits with effect from 16th November, 1999 and 16th November, 2002 respectively which has been allowed from a later date, that is, from the date of completion of training by him. But in view of the decision in **Ashok Kumar Mahapatra** (supra), the financial benefits are to be extended from the date of his appointment and therefore, considering the submission of Mr. Mohanty, learned counsel and response of the State, this Court is inclined to hold that the decision as per Annexure-7 cannot be sustained in law.

6. Accordingly, it is ordered.

7. In the result, the writ petition stands allowed. Consequently, the impugned order under Annexure-7 dated 6th August, 2025 is hereby set aside with a direction in extending 2nd RACP and 3rd ACP benefits to the petitioner w.e.f. 16th November, 1999 and 16th November, 2002 respectively on completion of 30 years of service from the date of initial appointment for compliance by opposite party No.3 at the earliest soon after receiving a copy of this order preferably

within a period of four weeks from the date of such communication received.

8. Urgent copy of this order be issued as per rules.

(R.K. Pattanaik)
Judge

Rojina

Signature Not Verified
Digitally Signed
Signed by: ROJINA SAHOO
Designation: Sr. Stenographer
Reason: Authentication
Location: OHC, CTC
Date: 03-Nov-2026 17:49:18