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Location: HIGH COURT OF ORISSA, CUTTACK
Date: 05-Nov-2026 17:54:38

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.33201 of 2026
CNR No. ODHC010786232026

Birabar Behera .... **Petitioner**

Mr. G.K. Nanda, Advocate

-Versus-

State of Odisha and others .... **Opposite Parties**

Mr. S. Behera, AGA

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
03.11.2026

Order No.

01. 1. Heard Mr. Nanda, learned counsel for the petitioner and Mr. Behera, learned AGA for the State.

2. Instant writ petition is filed by the petitioner for a direction to the opposite parties to extend him the benefits of the pension and other retiral dues on account of retirement as per and in terms of the Odisha Aided Education Institution Employees' Retirement Benefits Rules, 1981 keeping in view the ratio decided in **Sarat Chandra Parida Vrs. State of Odisha and others 2015 (II) ILR-CUT 94** upheld by the Apex Court in SLP(C) (CC) No.761 of 2016 and in the case of **Hemant Kumar Chhotaray Vrs. State of Odisha and others** in W.P.(C) No.17067 of 2023 and batch of cases disposed of on 12th January, 2024.

3. Mr. Nanda, learned counsel submits that decision in **Sarat Chandra Parida** (supra) has been followed in **Hemant**

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Kumar Chhotaray Vrs. State of Odisha and others 2024 (I) OLR 709 has been implemented in view of the dismissal of the SLP. Recording such submission and response of the State and since, in an identical case, this Court in W.P.(C) No.30467 of 2026 had issued the directions therein, recording such submission of Mr. Nanda, learned counsel on a demand for extension of pension and pensionary benefits, this Court is inclined to direct opposite party Nos.1 and 2 to comply the same in terms thereof after receiving a copy of this order and accordingly, it is directed.

4. In the result, the writ petition stands disposed of with a direction to opposite party Nos.1 and 2 for compliance upon receiving a copy of this order in the light of the decision in **Sarat Chandra Parida** and in the case of **Hemant Kumar Chhotaray** (supra). It is further directed that upon receiving the above order, opposite party Nos.1 and 2 shall ensure such compliance at the earliest preferably within a period of six weeks from the date of communication received.

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

(R.K. Pattanaik)
Judge

Rojalin