IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 33858 of 2026
(CNR No. ODHC010786732026)

Benudhar Nayak …. **Petitioner**

Mr. S.K. Das, Advocate

-Versus-

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

Mr. S.B. Panda, AGA

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
05.11.2026

Order No.

01. 1. Heard Mr. Das, learned counsel for the petitioner and Mr. Panda, learned AGA for the State.

2. Instant writ petition is filed by the petitioner for a direction to the opposite parties to release pension and other retiral dues including gratuity in his favour with accrued interest at the rate of 7% per annum for the delay in payment within a stipulated period on the grounds stated.

3. It is revealed from the record that the petitioner retired from service on 30th April, 2026 and the claim is that he is not receiving pension and pensionary benefits. Mr. Das, learned counsel submits that neither the pension has been sanctioned nor the unutilized leave salary despite office order dated 19th September, 2026 at Annexure-5 and hence, necessary direction may perhaps be issued in that regard.

4. Mr. Panda, leaned AGA for the State refers to the representation as at Annexure-6 series and submits that a direction may be issued to opposite party No.3 to consider the same. A copy of the promotion order is at Annexure-1 and retirement notice dated 1st January, 2026 i.e. Annexure-2. In the view of the plea of the petitioner and since he has approached of opposite party No.3 with representations as at Annexure-6 series, this Court is inclined to direct the said Authority to examine the same and to pass appropriate order at the earliest. This Court is also of the view that since there has been a sanction of unutilized leave salary as made to reveal from Annexure-5, a further direction is necessary towards its disbursement subject to verification and accordingly, it is ordered.

5. In the result, the writ petition stands disposed of with the direction as aforesaid. It is further directed that in view of the office order dated 19th September, 2026 at Annexure-5, opposite party No.3 shall immediately act upon the same and ensure disbursement of the unutilized leave salary and at the same time, to deal with the representation i.e. Annexure-6 series and to pass necessary order thereon preferably within a period of eight weeks from the date of receipt of a copy of this order by him.

6. Urgent copy of this order be issued as per the rules.

(R.K. Pattanaik)
Judge

Signature Not Verified
Digitally Signed
Signed by: ROJINA SAHOO
Designation: Sr. Stenographer
Reason: Authentication
Location: OHC,CTC
Date: 12-Nov-2026 15:36:58

Rojina