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Location: HIGH COURT OF ORISSA, CUTTACK
Date: 29-Oct-2026 17:27:50

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No. No.33851 of 2026
(CNR No. ODHC010808362026)

Ajay Kumar Barik .... **Petitioner**

Mr. S.K. Nath, Advocate

-Versus-

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

Mr. S. Behera, AGA

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
28.10.2026

Order No.

01. 1. Heard learned counsel for the respective parties.

2. Instant writ petition is filed by the petitioner assailing the impugned decision by order No.1051 dated 26th March, 2018 of opposite party No.3 under Annexure-3 and to direct the opposite parties to reinstate him in service granting other service benefits on the grounds stated.

3. In course of hearing, Mr. Nath, learned counsel for the petitioner submits that the case of the petitioner is covered by the decision of a Co-ordinate Bench of this Court in RVWPET No.31 of 2025 (**Banita Behera Vrs. State of Odisha and others**) followed in **Birendri Biswal Vrs. State of Odisha and others** in W.P.(C) No.16924 of 2026 disposed of on 21st July, 2026 and therefore, the impugned order at Annexure-3 is liable to be set aside with consequential direction issued in terms thereof. Besides the above, Mr. Nath, learned counsel cited a judgment dated 20th March, 2026 in W.P.(C) No.37539 of 2025

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(**Manjulata Behera Vrs. State of Odisha and others)** to the same effect. Recording the submissions as above and in view of the decision in **Banita Behera** (supra) with the objection of State noted down, this Court is of the view that the petitioner is entitled to reinstatement with a fresh decision on such engagement within a stipulated period as has been directed therein in similar circumstances.

4. Accordingly, it is ordered.

5. In the result, the writ petition stands disposed of with the direction hereinabove for compliance by opposite party No.3 soon after receiving a copy of this order preferably within a period of eight weeks. It is further directed that opposite party No.3 shall forthwith reinstate the petitioner on communication of the order and thereafter, to proceed to consider the legality of his engagement in the light of the decision of this Court in **Banita Behera** (supra).

6. Issue urgent copy of this order as per rules.

(R.K. Pattanaik)
Judge

Rojalin