IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No. 34367 of 2026

Rabindra Kumar Mohanty ..... ***Petitioner***
Mr. K.C. Sahu, Adv.

-versus-

State of Odisha & Ors. ..... ***Opposite Parties***
Dr. P.P. Behera, ASC

CORAM:
THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY
ORDER
28.10.2026

Order No. 01

1. This matter is taken up through hybrid mode.

2. Heard learned counsel for the Petitioner and learned counsel appearing for the Opp. Parties.

3. Petitioner has filed the present writ petition inter alia with the following prayer:-

> *"It is, therefore, prayed that your Lordships may be graciously be pleased to pass following relief(s):-*
>
> *(i) The Hon'ble Court be pleased to admit & allow the writ petition.*
>
> *(ii) The Hon'ble Court be pleased to direct the Opp. parties for regular absorption of the service of the petitioner in the regular post of MPHW(M) from the date of completion of six years of contractual service keeping in view of the order of this Hon'ble Court being confirmed by the Hon'ble Division Bench so also the Hon'ble Supreme Court as per Annexure-5,6 & 7 (Series) being implemented as per Annexure-8(series) so also keeping in view of the provision of "Repeal Rules 2022" under*

Annexure-8 by granting all consequential service and financial benefits within a time bound period for the interest of justice.

(iii) The Hon'ble Court be pleased to pass any other Writ(s), Direction(s), Order(s) as this Hon'ble Court may be deemed fit and proper;

And for this act of kindness, the petitioner shall as in duty bound ever pray"

4. It is contended that claim of the petitioner is covered by an order passed by this Court on 24.08.2022 in W.P.C(OA) No.344 of 2017 and batch confirmed by the Writ Appellate Court vide order dated 08.11.2023 in W.A. No.2299 of 2023 and so also confirmation of the same by the Hon'ble Apex Court with dismissal of the appeal vide order under Annexure-7 series. It is also contended that Review filed against the order passed by the Hon'ble Apex Court has also been dismissed. Not only that, in the meantime, the order passed by this Court has already been implemented vide order dt.15.04.2026 under Annexure-8 series.

5. Learned Addl. Standing Counsel on the other hand contended that since the petitioner claiming the benefit has never approached the authority, the Writ Petition is not maintainable.

6. Considering the submission made, this Court while disposing the Writ Petition, permits the petitioner to move Opp. Party No.2. It is observed that if any such application will be moved before O.P. No.2 within a period of 3 (three) weeks hence, O.P. No.2 shall take a lawful decision on the same within a period of 3 (three) months from the date of receipt of such application. It is further observed that while taking such a decision, relevancy and effect of the order passed

by this Court in W.P.C(OA) No.344 of 2017 and batch be taken into consideration if it is applicable. Petitioner is directed to provide a copy of this order along with the order passed in W.P.C(OA) No.344 of 2017 and batch so confirmed by this Court as well as by the Hon'ble Apex Court.

7. The Writ Petition stands disposed of accordingly.

(BIRAJA PRASANNA SATAPATHY)
Judge

sangita

Signature Not Verified
Digitally Signed
Signed by: SANGITA PATRA
Reason: authentication of order
Location: high court of orissa, cuttack
Date: 28-Oct-2026 18:36:11