IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No. 36830 of 2026
CNR No. ODHC010856322026

Ch. Laxmi Narayan Patro **.....** ***Petitioner***
Mr. B.S. Rayaguru, Advocate

-versus-

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

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

ORDER
12.11.2026

Order No. 01

1. This matter is taken up through hybrid mode.

2. Heard learned counsel appearing for the Parties.

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

> *"Under these facts and circumstances, the petitioners most humbly pray that this Hon'ble Court may graciously be pleased to admit this Writ Petition and issue a RULE NISI calling upon the Opp. Parties to show cause as to why;*
>
> *i) The Opp. Parties shall not be directed for sanction of the pension of the petitioner under O.C.S (Pension) Rules, 1992 thereby taking the temporary period of service into consideration in as much as antedating the date of regularization from the date of initial appointment in terms of the Rule-2(r) and Rule-10 of the O.C.S (Pension) Rules, in view of the common judgment dated 24.08.2026 passed by this Hon'ble Court in W.P.(C) No.20878 of 2020 & Batch of Cases under Annexure-14 as well as the order dated 15.09.2017 passed by this Hon'ble Court in W.P.(C). No. 23073 of 2015 under Annexure-15,*
>
> *ii) The action of the Opp. Parties in not extending the pensionary benefits to the petitioner under the O.C.S*

(Pension) Rules, 1992 shall not be declared as illegal, arbitrary and contrary to law,

And if the Opp. Parties fail to show cause in time or show insufficient cause, the RULE NISI be made absolute,

And further be pleased to pass appropriate order(s)/direction(s), as this Hon'ble Court may deem fit and proper for the ends of justice and in the interest of the petitioner, And for this act of kindness, the petitioner shall as in duty bound ever pray."

4. It is contended that in similar issue this Court has passed a judgment on 24.08.2026 in W.P.(C) No. 20878 of 2020 & batch. It is accordingly contended that the writ petition be disposed of in the light of the said judgment.

5. Learned Addl. Standing Counsel on the other hand contended that if as contended Petitioner's clam is covered by the aforesaid judgment, Petitioner has to make his grievance before Opp. Party No. 1 for consideration.

6. Having heard learned counsel appearing for the Parties and considering the submissions made, this Court while disposing the writ petition, permits the Petitioner to move Opp. Party No. 1 to get the benefit as prayed for in the present writ petition.

6.1. It is observed that, if any such application is moved before Opp. Party No. 1 within a period of three (3) weeks hence, the said Opp. Party shall do well to take a lawful decision on the same within a further period of three (3) months from the date of receipt of such application with due communication to the Petitioner.

6.2. It is further observed that while taking such a decision, judgment dtd.24.08.2026 so passed by this Court in W.P.(C) No.

20878 of 2020 & batch be taken into consideration, if it is applicable to the Petitioner's claim.

6.3. Petitioner is permitted to provide a copy of this order along with the judgment before Opp. Party No. 1 for compliance.

7. The writ petition accordingly stands disposed of.

(BIRAJA PRASANNA SATAPATHY)
Judge

Subrat

Signature Not Verified
Digitally Signed
Signed by: SUBRAT KUMAR BARIK
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 13-Nov-2026 15:15:52