IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.36858 of 2026

CNR No. ODHC010863542026

Benudhar Samal .... ***Petitioner***

Mr. B. Barik, Advocate

-versus-

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

Dr. P.P. Behera, ASC

CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
12.11.2026

Order No.

01. **1.** This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard learned counsel for the parties.

3. Learned counsel for the petitioner contended that petitioner though is entitled to get the benefit of Pension and other Pensionary benefits but the authorities are not releasing the same.

3. It is contended that similar claim made in W.P.(C)(OAC) No.2607 of 2016 was allowed by this Court vide order dated 09.09.2022 and the same in the meantime has been upheld by the Hon'ble Apex Court in SLP(Civil) Diary No.33400 of 2023, judgment dated 24.07.2025 (***State of Odisha and Others Vrs. G. Balakrishna***). It is accordingly contended that petitioner is entitled to get similar benefit.

4. Learned Addl. Govt. Advocate on the other hand contended that if as contended claim of the petitioner is similar to the order passed in W.P.(C)(OAC) No.2607 of 2016 and further confirmed by the Hon'ble Apex Court, let the petitioner move the Competent Authority for consideration of the grievance in the light of the said order.

5. Having heard learned counsel for the parties and considering the submissions made, this Court while disposing the Writ Petition, permits the petitioner to move O.P. No.1 for consideration of his claim to get the benefit of pension and other pensionary benefits. It is observed that if any such application will be moved before O.P. No.1 within a period of 3 (three) weeks from today, O.P. No.1 shall take a lawful decision on the same within a further period of 3 (three) months from the date of receipt of such application. It is however observed that while taking such a decision, relevancy and effect of order dated 09.09.2022 so passed in W.P.(C)(OAC) No.2607 of 2016 further confirmed by the Hon'ble Apex Court in SLP(Civil) Diary No.33400 of 2023 be taken into consideration. Petitioner is permitted to enclose copy of order passed in W.P.(C)(OAC) No.2607 of 2016 and the order passed by the Hon'ble Apex Court passed in SLP(Civil) Diary No.33400 of 2023 along with his representation for consideration of his claim.

6. The Writ Petition stands disposed of with the aforesaid observation and direction.

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

(Biraja Prasanna Satapathy)
Judge

Nitu Prava