IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.36849 of 2026

CNR No. ODHC010864702026

Lakshya Pati Behera

.... ***Petitioner***

Mr. P.C. Mahapatra, Advocate

-versus-

State of Odisha & Ors.

.... ***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 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 this Hon'ble Court may graciously be pleased to admit the Writ Petition, issue RULE NISI, calling upon the opposite parties, to show cause as to (i) Why the Petitioner shall not be granted the benefit of notional annual increment for the service period from 01.03.2019 to 29.02.2020 for the purpose of calculating his pension and gratuity; and the Finance Department O.M. No. 2392/F, dated 22.01.2025 under Annexure-7 to the Writ Petition to the extent of fixing the illegal cut-off date as on 30.07.2021, shall not be quashed and upon the Opposite Parties, failing to show sufficient cause or showing insufficient cause, to make the said RULE absolute; consequently, direct the Opposite Parties to;*

(i) Grant the petitioner the notional benefit of the annual increment due on 01.03.2020 for the service period from 01.03.2019 to 29.02.2020;

AND,

(ii) Recalculate the petitioner's pension and gratuity on basis of the notional increment due to him,

AND,

(iii) Release the arrears of pension and gratuity resulting from such recalculation, along with all consequential benefits and interest at such rate as deemed fit by this Hon'ble Court, forthwith;

AND,

(iv) Further be pleased to direct the Opp.

Parties to draw and disburse any other consequential benefits as due and admissible to him at an early date in the interest of justice.

AND,

(v) Further be pleased to pass such other writ (s)/ order (s) as may deem just and proper,

AND,

(vi) For this act of kindness, the petitioner as in, duty bound shall ever pray.".

4. However, taking into account the claim raised in the present Writ Petition, liberty is granted to the Petitioner to make a fresh representation before Opp. Party No.2 by enclosing all the relevant documents and citations in support of his claim, if any, within a period of two (2) weeks hence.

4.1. It is observed that if such a representation is filed within the aforesaid time period, Opp. Party No.2 shall

do well to take a lawful decision on the same within a period of two (2) weeks from the date of receipt of such representation. The order so passed by Opp. Party No.2 be communicated to the Petitioner.

4.2. Since it is contended that Petitioner's claim is covered by an order passed by this Court on 26.06.2025 in W.P.(C) No.17412 of 2025, relevancy and effect of the said order be taken into consideration, if applicable to the Petitioner's claim. Petitioner is directed to provide copy of this order along with the order dtd.26.06.2025 before Opposite Party No.2 for compliance.

5. With the aforesaid observation and direction, the Writ Petition is 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