IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No. 37170 of 2026
CNR No.ODHC010875232026

Subash Chandra Barik	***.....***	***Petitioner***
		Ms. R. Das, Advocate
	-versus-	
State of Odisha & Anr.	***.....***	***Opposite Parties***
		Mr. C.K. Pradhan, AGA

CORAM:
THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY
ORDER
12.11.2026

Order No. 02

1. This matter is taken up through hybrid mode.

2. Heard learned counsel appearing for the 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 issue notice to the opp. Parties calling upon them to file show cause as to why :-*
>
> *i) A direction shall not be issued to release the unutilized leave salary of the petitioner of 300 days as per the recommendation of the opp.party no. 3 dated 10.07.2026 under Annexure-7 as well as the judgement of this Hon'ble Court rendered in between Kalpataru Sethi Vs State of Odisha & Others in W.P.(C) No. 31060 of 2025 & Batch dated 13.03.2026*
>
> *ii) And after hearing the parties be pleased to direct the opp.parties especially the opp.party no.2 to to release the unutilized leave salary of the petitioner of 300 days; within a date to be fixed by this Hon'ble Court*

iii) And pass any other order/orders, direction/directions as deemed fit and proper;

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

4. It is contended that in view of the judgment delivered by this Court on 13.03.2026 in W.P.(C) No.31060 of 2025 & batch, Petitioner is eligible and entitled to get the benefit of unutilized leave salary.

4.1. It is accordingly contended that Opposite Party No.2 be directed to release the unutilized leave salary within a reasonable time, as Petitioner has retired since 30.06.2026.

5. Learned Addl. Standing Counsel for the State does not dispute the decision rendered by this Court in W.P.(C) No.31060 of 2025 and batch.

6. Having heard learned counsel appearing for the Parties and considering the submissions made, this Court while disposing the Writ Petition directs Opposite Party No.2 to release the unutilized leave salary as due and admissible in favour of the Petitioner, if the same has not yet been released, within a period of six (6) weeks from the date of receipt of this order. Petitioner is permitted to provide a copy of this order along with the judgment passed in W.P.(C) No.31060 of 2025 & batch before Opposite Party No.2 for compliance.

7. Accordingly, the Writ Petition stands disposed of.

Signature Not Verified
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Signed by: JYOTIPRAVA BHOL
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 13-Nov-2026 17:30:50

(BIRAJA PRASANNA SATAPATHY)
Judge

Jyoti