



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**WP(C) Nos. 20422, 21524, 22998 of 2010**

**WP(C) No. 20422 of 2010**

***Udayanath Behera & Ors.***

.....

***Petitioners***

Mr. A. Pattnaik, Advocate

*-versus-*

***The Chairman, OAIC Ltd. &  
Ors.***

.....

***Opposite Parties***

Mr. S.P. Das, ASC

Mr. N.K. Mishra, Sr. Advocate  
along with

Mr. N.K. Mishra, Advocate  
(Opp. Party Nos. 1 & 2)

**CORAM:**

**THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER**

**07.07.2026**

**Order No. 20**

1. This matter is taken up through hybrid mode.
2. Heard Mr. A. Pattnaik, learned counsel appearing for the Petitioners, Mr. S.P. Das, learned Addl. Standing Counsel appearing for the State-Opp. Parties and Mr. N.K. Mishra, learned Sr. Counsel appearing for Opp. Party Nos. 1 & 2 along with Mr. N.K. Mishra, learned counsel.
3. Pursuant to order dt.24.06.2026, learned Sr. Counsel appearing for the Corporation fairly contended that request made by the Corporation in its letter td.13.04.2021 so enclosed to the memo with regard to sanction of 5<sup>th</sup> & 6<sup>th</sup> Pay w.e.f.01.01.1996 and 01.01.2006 with usual D.A. to the employees of the Corporation is pending consideration before the Govt. as on date.



3.1. It is contended that unless and until Govt. give necessary approval to the request made by the Corporation, benefit of 5<sup>th</sup> & 6<sup>th</sup> Pay as well as arrear cannot be extended in favour of the Petitioners and other employees of the Corporation.

4. Mr. A. Pattnaik, learned counsel appearing for the Petitioners on the other hand contended that on earlier occasion the Corporation without taking prior approval of the Govt., has extended the benefit on similar revised pay in favour of the employees and there was no occasion to seek the approval of the Govt. so made vide letter dtd.13.04.2021.

5. Having heard learned counsel appearing for the Parties and considering the submissions made, this Court while disposing the writ petition, permits the Petitioners in each of the writ petitions to move individual applications before Opp. Party No. 3 to take a final decision on the request made by the Corporation in its letter dtd.13.04.2021. Copy of the communication dtd.13.04.2021 so made by the Corporation be enclosed to the applications to be made by the Petitioners.

5.1. It is observed that, if any such individual applications are filed before Opp. Party No. 3 within a period of three (3) weeks, 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 Petitioners.

5.2. Opp. Party No. 3 is directed to take a decision on the request made by the Corporation in its letter dtd.13.04.2021 within a period of three (3) months. On getting the approval so requested,



consequential follow up action will be taken by the Corporation in releasing the benefit as due and admissible.

6. With the aforesaid observation and direction, the writ petitions stand disposed of.

Photo copy of the order be placed in the connected case records.

**(BIRAJA PRASANNA SATAPATHY)**  
**Judge**

*Sneha*