



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.28984 of 2026
CNR No.ODHC010621342026

Bijaya Kumar Mallik

.... **Petitioner**
Mr. S.K. Nath, Advocate

-Versus-

State of Odisha & Others

.... **Opposite Parties**
Mr. Surya Kanta Parhi, ASC

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
18.09.2026

Order No.

01. 1. Heard Mr. Nath, learned counsel for the petitioner and Mr. Parhi, learned ASC for the State.
2. Instant writ petition is filed by the petitioner assailing the impugned decision by order dated 24th April, 2006 of opposite party No.3 under Annexure-3 and to direct the opposite parties to reinstate him in service granting other service benefits on the grounds stated.
3. Recorded the response of the State.
4. In course of hearing, Mr. Nath, learned counsel for the petitioner submits that the case of the petitioner is covered by the decision of a Co-ordinate Bench of this Court in RVWPET No.31 of 2025 (**Banita Behera Vrs. State of Odisha and others**) followed in **Birendri Biswal Vrs. State of Odisha and others** in W.P.(C) No.16924 of 2026 disposed of on 21st July, 2026 and therefore, the impugned order at Annexure-3 is liable



to be set aside with consequential directions issued in terms thereof. Besides the above, Mr. Nath, learned counsel cited the judgment dated 20th March, 2026 in W.P.(C) No.37539 of 2025 (**Manjulata Behera Vrs. State of Odisha and others**) to the same effect. Recording the submissions as above and in view of the decision in **Banita Behera** (supra), the petitioner is entitled to reinstatement with a fresh decision on such engagement within a stipulated period as has been directed therein in similar circumstances.

5. Accordingly, it is ordered.

6. In the result, the writ petition stands disposed of with the directions hereinabove for compliance by opposite party No.3 soon after receiving a copy of this order preferably within a period of eight weeks. It is further directed that opposite party No.3 shall forthwith reinstate the petitioner on communication of the order and thereafter, to proceed to consider the legality of his engagement in the light of the decision in **Banita Behera** (supra).

7. Issue urgent copy of this order as per rules.

(R.K. Pattanaik)
Judge