



2025 INSC 813

IN THE SUPREME COURT OF INDIA

CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 5842 OF 2025

(Arising out of SLP (C) No. 28521 of 2023)

STATE OF ODISHA & ORS.

... APPELLANTS

VERSUS

JITA LUHA

... RESPONDENT

WITH

CIVIL APPEAL NO. 5843 OF 2025

(Arising out of SLP(C) No. 28514/2023)

CIVIL APPEAL NO. 5844 OF 2025

(Arising out of SLP(C) No. 1741 of 2024)

CIVIL APPEAL NO. 5845 OF 2025

(Arising out of SLP(C) No. 3805 of 2024)

CIVIL APPEAL NO. 5846 OF 2025

(Arising out of SLP(C) No. 1195 of 2024)

CIVIL APPEAL NO. 5847 OF 2025

(Arising out of SLP(C) No. 2601 of 2024)

CIVIL APPEAL NO. 5848 OF 2025

(Arising out of SLP(C) No. 2246 of 2024)

CIVIL APPEAL NO. 5849 OF 2025

(Arising out of SLP(C) No. 2340 of 2024)

CIVIL APPEAL NO. 5850 OF 2025

(Arising out of SLP(C) No. 2185 of 2024)

CIVIL APPEAL NO. 5851 OF 2025

(Arising out of SLP(C) No. 2171 of 2024)

CIVIL APPEAL NO. 5852 OF 2025
(Arising out of SLP(C) No. 2291 of 2024)

CIVIL APPEAL NO. 5853 OF 2025
(Arising out of SLP(C) No. 2297 of 2024)

CIVIL APPEAL NO. 5854 OF 2025
(Arising out of SLP(C) No. 2201 of 2024)

CIVIL APPEAL NO. 5855 OF 2025
(Arising out of SLP(C) No. 2170 of 2024)

CIVIL APPEAL NO. 5856 OF 2025
(Arising out of SLP(C) No. 2206 of 2024)

CIVIL APPEAL NO. 5857 OF 2025
(Arising out of SLP(C) No. 2416 of 2024)

CIVIL APPEAL NO. 5858 OF 2025
(Arising out of SLP(C) No. 2308 of 2024)

CIVIL APPEAL NO. 5859 OF 2025
(Arising out of SLP(C) No. 2189 of 2024)

CIVIL APPEAL NO. 5860 OF 2025
(Arising out of SLP(C) No. 2422 of 2024)

CIVIL APPEAL NO. 5861 OF 2025
(Arising out of SLP(C) No. 784 of 2024)

CIVIL APPEAL NO. 5862 OF 2025
(Arising out of SLP(C) No. 2105 of 2024)

CIVIL APPEAL NO. 5863 OF 2025
(Arising out of SLP(C) No. 1052 of 2024)

CIVIL APPEAL NO. 5864 OF 2025
(Arising out of SLP(C) No. 1024 of 2024)

CIVIL APPEAL NO. 5865 OF 2025
(Arising out of SLP(C) No. 1448 of 2024)

CIVIL APPEAL NO. 5866 OF 2025
(Arising out of SLP(C) No. 2149 of 2024)

CIVIL APPEAL NO. 5867 OF 2025
(Arising out of SLP(C) No. 2061 of 2024)

CIVIL APPEAL NO. 5868 OF 2025
(Arising out of SLP(C) No. 2016 of 2024)

CIVIL APPEAL NO. 5869 OF 2025
(Arising out of SLP(C) No. 1891 of 2024)

CIVIL APPEAL NO. 5870 OF 2025
(Arising out of SLP(C) No. 2700 of 2024)

CIVIL APPEAL NO. 5871 OF 2025
(Arising out of SLP(C) No. 2781 of 2024)

CIVIL APPEAL NO. 5872 OF 2025
(Arising out of SLP (C) No. 2779 of 2024)

CIVIL APPEAL NO. 5873 OF 2025
(Arising out of SLP (C) No. 6041 of 2024)

CIVIL APPEAL NO. 5874 OF 2025
(Arising out of SLP (C) No. 1742 of 2024)

CIVIL APPEAL NO. 5875 OF 2025
(Arising out of SLP (C) No. 2782 of 2024)

CIVIL APPEAL NO. 5876 OF 2025
(Arising out of SLP (C) No. 6042 of 2024)

CIVIL APPEAL NO. 5877 OF 2025
(Arising out of SLP (C) No. 6043 of 2024)

CIVIL APPEAL NO. 5878 OF 2025
(Arising out of SLP (C) No. 3806 of 2024)

CIVIL APPEAL NO. 5879 OF 2025
(Arising out of SLP (C) No. 6044 of 2024)

CIVIL APPEAL NO. 5880 OF 2025
(Arising out of SLP (C) No. 6045 of 2024)

CIVIL APPEAL NO. 5881 OF 2025
(Arising out of SLP (C) No. 3803 of 2024)

CIVIL APPEAL NO. 5882 OF 2025
(Arising out of SLP (C) No. 6046 of 2024)

CIVIL APPEAL NO. 5883 OF 2025
(Arising out of SLP (C) No. 3807 of 2024)

CIVIL APPEAL NO. 5884 OF 2025
(Arising out of SLP (C) No. 4819 of 2024)

CIVIL APPEAL NO. 5885 OF 2025
(Arising out of SLP (C) No. 6047 of 2024)

CIVIL APPEAL NO. 5886 OF 2025
(Arising out of SLP (C) No. 3808 of 2024)

CIVIL APPEAL NO. 5887 OF 2025
(Arising out of SLP (C) No. 2709 of 2024)

CIVIL APPEAL NO. 5888 OF 2025
(Arising out of SLP (C) No. 3804 of 2024)

CIVIL APPEAL NO. 5889 OF 2025
(Arising out of SLP (C) No. 6048 of 2024)

CIVIL APPEAL NO. 5890 OF 2025
(Arising out of SLP (C) No. 4821 of 2024)

CIVIL APPEAL NO. 5891 OF 2025
(Arising out of SLP (C) No. 4815 of 2024)

CIVIL APPEAL NO. 5892 OF 2025
(Arising out of SLP (C) No. 4816 of 2024)

CIVIL APPEAL NO. 5893 OF 2025
(Arising out of SLP (C) No. 6049 of 2024)

CIVIL APPEAL NO. 5894 OF 2025
(Arising out of SLP (C) No. 3811 of 2024)

CIVIL APPEAL NO. 5895 OF 2025
(Arising out of SLP (C) No. 4817 of 2024)

CIVIL APPEAL NO. 5896 OF 2025
(Arising out of SLP (C) No. 3809 of 2024)

CIVIL APPEAL NO. 5897 OF 2025
(Arising out of SLP (C) No. 4818 of 2024)

CIVIL APPEAL NO. 5898 OF 2025
(Arising out of SLP (C) No. 4983 of 2024)

CIVIL APPEAL NO. 5899 OF 2025
(Arising out of SLP (C) No. 1441 of 2024)

CIVIL APPEAL NO. 5900 OF 2025
(Arising out of SLP (C) No. 2382 of 2024)

CIVIL APPEAL NO. 5901 OF 2025
(Arising out of SLP (C) No. 3170 of 2024)

CIVIL APPEAL NO. 5902 OF 2025
(Arising out of SLP (C) No. 6150 of 2024)

CIVIL APPEAL NO. 5903 OF 2025
(Arising out of SLP (C) No. 4660 of 2024)

CIVIL APPEAL NO. 5904 OF 2025
(Arising out of SLP (C) No. 4984 of 2024)

CIVIL APPEAL NO. 5905 OF 2025
(Arising out of SLP (C) No. 4985 of 2024)

CIVIL APPEAL NO. 5906 OF 2025
(Arising out of SLP (C) No. 3810 of 2024)

CIVIL APPEAL NO. 5907 OF 2025
(Arising out of SLP (C) No. 3813 of 2024)

CIVIL APPEAL NO. 5908 OF 2025
(Arising out of SLP (C) No. 4828 of 2024)

CIVIL APPEAL NO. 5909 OF 2025
(Arising out of SLP (C) No. 4658 of 2024)

CIVIL APPEAL NO. 5910 OF 2025
(Arising out of SLP (C) No. 4822 of 2024)

CIVIL APPEAL NO. 5911 OF 2025
(Arising out of SLP (C) No. 4659 of 2024)

CIVIL APPEAL NO. 5912 OF 2025
(Arising out of SLP (C) No. 4661 of 2024)

CIVIL APPEAL NO. 5913 OF 2025
(Arising out of SLP (C) No. 3836 of 2024)

CIVIL APPEAL NO. 5914 OF 2025
(Arising out of SLP (C) No. 4982 of 2024)

CIVIL APPEAL NO. 5915 OF 2025
(Arising out of SLP (C) No. 4673 of 2024)

CIVIL APPEAL NO. 5916 OF 2025
(Arising out of SLP (C) No. 4986 of 2024)

CIVIL APPEAL NO. 5917 OF 2025
(Arising out of SLP (C) No. 4979 of 2024)

CIVIL APPEAL NO. 5918 OF 2025
(Arising out of SLP (C) No. 4657 of 2024)

CIVIL APPEAL NO. 5919 OF 2025
(Arising out of SLP (C) No. 4987 of 2024)

CIVIL APPEAL NO. 5920 OF 2025
(Arising out of SLP (C) No. 4663 of 2024)

CIVIL APPEAL NO. 5921 OF 2025
(Arising out of SLP (C) No. 4988 of 2024)

CIVIL APPEAL NO. 5922 OF 2025
(Arising out of SLP (C) No. 4974 of 2024)

CIVIL APPEAL NO. 5923 OF 2025
(Arising out of SLP (C) No. 4973 of 2024)

CIVIL APPEAL NO. 5924 OF 2025
(Arising out of SLP (C) No. 4976 of 2024)

CIVIL APPEAL NO. 5925 OF 2025
(Arising out of SLP (C) No. 4823 of 2024)

CIVIL APPEAL NO. 5926 OF 2025
(Arising out of SLP (C) No. 6152 of 2024)

CIVIL APPEAL NO. 5927 OF 2025
(Arising out of SLP (C) No. 6154 of 2024)

CIVIL APPEAL NO. 5928 OF 2025
(Arising out of SLP (C) No. 4989 of 2024)

CIVIL APPEAL NO. 5929 OF 2025
(Arising out of SLP (C) No. 4990 of 2024)

CIVIL APPEAL NO. 5930 OF 2025
(Arising out of SLP (C) No. 4991 of 2024)

CIVIL APPEAL NO. 5931 OF 2025
(Arising out of SLP (C) No. 4981 of 2024)

CIVIL APPEAL NO. 5932 OF 2025
(Arising out of SLP (C) No. 4977 of 2024)

CIVIL APPEAL NO. 5933 OF 2025
(Arising out of SLP (C) No. 6280 of 2024)

CIVIL APPEAL NO. 5934 OF 2025
(Arising out of SLP (C) No. 4664 of 2024)

CIVIL APPEAL NO. 5935 OF 2025
(Arising out of SLP (C) No. 4831 of 2024)

CIVIL APPEAL NO. 5936 OF 2025
(Arising out of SLP (C) No. 4992 of 2024)

CIVIL APPEAL NO. 5937 OF 2025
(Arising out of SLP (C) No. 4993 of 2024)

CIVIL APPEAL NO. 5938 OF 2025
(Arising out of SLP (C) No. 4665 of 2024)

CIVIL APPEAL NO. 5939 OF 2025
(Arising out of SLP (C) No. 4814 of 2024)

CIVIL APPEAL NO. 5940 OF 2025
(Arising out of SLP (C) No. 4994 of 2024)

CIVIL APPEAL NO. 5941 OF 2025
(Arising out of SLP (C) No. 4995 of 2024)

CIVIL APPEAL NO. 5942 OF 2025
(Arising out of SLP (C) No. 4666 of 2024)

CIVIL APPEAL NO. 5943 OF 2025
(Arising out of SLP (C) No. 4667 of 2024)

CIVIL APPEAL NO. 5944 OF 2025
(Arising out of SLP (C) No. 6279 of 2024)

CIVIL APPEAL NO. 5945 OF 2025
(Arising out of SLP (C) No. 4824 of 2024)

CIVIL APPEAL NO. 5946 OF 2025
(Arising out of SLP (C) No. 4829 of 2024)

CIVIL APPEAL NO. 5947 OF 2025
(Arising out of SLP (C) No. 4668 of 2024)

CIVIL APPEAL NO. 5948 OF 2025
(Arising out of SLP (C) No. 4669 of 2024)

CIVIL APPEAL NO. 5949 OF 2025
(Arising out of SLP (C) No. 6281 of 2024)

CIVIL APPEAL NO. 5950 OF 2025
(Arising out of SLP (C) No. 6153 of 2024)

CIVIL APPEAL NO. 5951 OF 2025
(Arising out of SLP (C) No. 4832 of 2024)

CIVIL APPEAL NO. 5952 OF 2025
(Arising out of SLP (C) No. 6151 of 2024)

CIVIL APPEAL NO. 5953 OF 2025
(Arising out of SLP (C) No. 8715 of 2024)

CIVIL APPEAL NO. 5954 OF 2025
(Arising out of SLP (C) No. 8716 of 2024)

CIVIL APPEAL NO. 5955 OF 2025
(Arising out of SLP (C) No. 4996 of 2024)

CIVIL APPEAL NO. 5956 OF 2025
(Arising out of SLP (C) No. 9673 of 2024)

CIVIL APPEAL NO. 5957 OF 2025
(Arising out of SLP (C) No. 4997 of 2024)

CIVIL APPEAL NO. 5958 OF 2025
(Arising out of SLP (C) No. 4670 of 2024)

CIVIL APPEAL NO. 5959 OF 2025
(Arising out of SLP (C) No. 4672 of 2024)

CIVIL APPEAL NO. 5960 OF 2025
(Arising out of SLP (C) No. 4978 of 2024)

CIVIL APPEAL NO. 5961 OF 2025
(Arising out of SLP (C) No. 4671 of 2024)

CIVIL APPEAL NO. 5962 OF 2025
(Arising out of SLP (C) No. 4975 of 2024)

CIVIL APPEAL NO. 5963 OF 2025
(Arising out of SLP (C) No. 9674 of 2024)

CIVIL APPEAL NO. 5964 OF 2025
(Arising out of SLP (C) No. 8714 of 2024)

CIVIL APPEAL NO. 5965 OF 2025
(Arising out of SLP (C) No. 4998 of 2024)

CIVIL APPEAL NO. 5966 OF 2025
(Arising out of SLP (C) No. 4999 of 2024)

CIVIL APPEAL NO. 5967 OF 2025
(Arising out of SLP (C) No. 8720 of 2024)

CIVIL APPEAL NO. 5968 OF 2025
(Arising out of SLP (C) No. 12993 of 2024)

CIVIL APPEAL NO. 5969 OF 2025
(Arising out of SLP (C) No. 7908 of 2024)

CIVIL APPEAL NO. 5970 OF 2025
(Arising out of SLP (C) No. 6155 of 2024)

CIVIL APPEAL NO. 5971 OF 2025
(Arising out of SLP (C) No. 7910 of 2024)

CIVIL APPEAL NO. 5972 OF 2025
(Arising out of SLP (C) No. 16072 of 2024)

CIVIL APPEAL NO. 5973 OF 2025
(Arising out of SLP (C) No. 7911 of 2024)

CIVIL APPEAL NO. 5974 OF 2025
(Arising out of SLP (C) No. 6283 of 2024)

CIVIL APPEAL NO. 5975 OF 2025
(Arising out of SLP (C) No. 8466 of 2024)

CIVIL APPEAL NO. 5976 OF 2025
(Arising out of SLP (C) No. 6149 of 2024)

CIVIL APPEAL NO. 5977 OF 2025
(Arising out of SLP (C) No. 7912 of 2024)

CIVIL APPEAL NO. 5978 OF 2025
(Arising out of SLP (C) No. 9279 of 2024)

CIVIL APPEAL NO. 5979 OF 2025
(Arising out of SLP (C) No. 18142 of 2024)

CIVIL APPEAL NO. 5980 OF 2025
(Arising out of SLP (C) No. 6282 of 2024)

CIVIL APPEAL NO. 5981 OF 2025
(Arising out of SLP (C) No. 7887 of 2024)

CIVIL APPEAL NO. 5982 OF 2025
(Arising out of SLP (C) No. 7883 of 2024)

CIVIL APPEAL NO. 5983 OF 2025
(Arising out of SLP (C) No. 6374 of 2024)

CIVIL APPEAL NO. 5984 OF 2025
(Arising out of SLP (C) No. 7881 of 2024)

CIVIL APPEAL NO. 5985 OF 2025
(Arising out of SLP (C) No. 19772 of 2024)

CIVIL APPEAL NO. 5986 OF 2025
(Arising out of SLP (C) No. 7884 of 2024)

CIVIL APPEAL NO. 5987 OF 2025
(Arising out of SLP (C) No. 7882 of 2024)

CIVIL APPEAL NO. 5988 OF 2025
(Arising out of SLP (C) No. 7482 of 2024)

CIVIL APPEAL NO. 5989 OF 2025
(Arising out of SLP (C) No. 8469 of 2024)

CIVIL APPEAL NO. 5990 OF 2025
(Arising out of SLP (C) No. 8472 of 2024)

CIVIL APPEAL NO. 5991 OF 2025
(Arising out of SLP (C) No. 8471 of 2024)

CIVIL APPEAL NO. 5992 OF 2025
(Arising out of SLP (C) No. 7913 of 2024)

CIVIL APPEAL NO. 5993 OF 2025
(Arising out of SLP (C) No. 7885 of 2024)

CIVIL APPEAL NO. 5994 OF 2025
(Arising out of SLP (C) No. 7886 of 2024)

CIVIL APPEAL NO. 5995 OF 2025
(Arising out of SLP (C) No. 12994 of 2024)

CIVIL APPEAL NO. 5996 OF 2025
(Arising out of SLP (C) No. 6240 of 2024)

CIVIL APPEAL NO. 5997 OF 2025
(Arising out of SLP (C) No. 6372 of 2024)

CIVIL APPEAL NO. 5998 OF 2025
(Arising out of SLP (C) No. 8467 of 2024)

CIVIL APPEAL NO. 5999 OF 2025
(Arising out of SLP (C) No. 7479 of 2024)

CIVIL APPEAL NO. 6000 OF 2025
(Arising out of SLP (C) No. 7909 of 2024)

CIVIL APPEAL NO. 6001 OF 2025
(Arising out of SLP (C) No. 8470 of 2024)

CIVIL APPEAL NO. 6002 OF 2025
(Arising out of SLP (C) No. 7480 of 2024)

CIVIL APPEAL NO. 6003 OF 2025
(Arising out of SLP (C) No. 9278 of 2024)

CIVIL APPEAL NO. 6004 OF 2025
(Arising out of SLP (C) No. 9821 of 2024)

CIVIL APPEAL NO. 6005 OF 2025
(Arising out of SLP (C) No. 7115 of 2024)

CIVIL APPEAL NO. 6006 OF 2025
(Arising out of SLP (C) No. 18517 of 2024)

CIVIL APPEAL NO. 6007 OF 2025
(Arising out of SLP (C) No. 8476 of 2024)

CIVIL APPEAL NO. 6008 OF 2025
(Arising out of SLP (C) No. 8468 of 2024)

CIVIL APPEAL NO. 6009 OF 2025
(Arising out of SLP (C) No. 18518 of 2024)

CIVIL APPEAL NO. 6010 OF 2025
(Arising out of SLP (C) No. 8473 of 2024)

CIVIL APPEAL NO. 6011 OF 2025
(Arising out of SLP (C) No. 9514 of 2024)

CIVIL APPEAL NO. 6012 OF 2025
(Arising out of SLP (C) No. 9389 of 2024)

CIVIL APPEAL NO. 6013 OF 2025
(Arising out of SLP (C) No. 18512 of 2024)

CIVIL APPEAL NO. 6014 OF 2025
(Arising out of SLP (C) No. 12882 of 2024)

CIVIL APPEAL NO. 6015 OF 2025
(Arising out of SLP (C) No. 18515 of 2024)

CIVIL APPEAL NO. 6016 OF 2025
(Arising out of SLP (C) No. 11012 of 2024)

CIVIL APPEAL NO. 6017 OF 2025
(Arising out of SLP (C) No. 11013 of 2024)

CIVIL APPEAL NO. 6018 OF 2025
(Arising out of SLP (C) No. 9823 of 2024)

CIVIL APPEAL NO. 6019 OF 2025
(Arising out of SLP (C) No. 9513 of 2024)

CIVIL APPEAL NO. 6020 OF 2025
(Arising out of SLP (C) No. 9515 of 2024)

CIVIL APPEAL NO. 6021 OF 2025
(Arising out of SLP (C) No. 9007 of 2024)

CIVIL APPEAL NO. 6022 OF 2025
(Arising out of SLP (C) No. 8447 of 2024)

CIVIL APPEAL NO. 6023 OF 2025
(Arising out of SLP (C) No. 9826 of 2024)

CIVIL APPEAL NO. 6024 OF 2025
(Arising out of SLP (C) No. 9268 of 2024)

CIVIL APPEAL NO. 6025 OF 2025
(Arising out of SLP (C) No. 11686 of 2024)

CIVIL APPEAL NO. 6026 OF 2025
(Arising out of SLP (C) No. 12039 of 2024)

CIVIL APPEAL NO. 6027 OF 2025
(Arising out of SLP (C) No. 9822 of 2024)

CIVIL APPEAL NO. 6028 OF 2025
(Arising out of SLP (C) No. 17981 of 2024)

CIVIL APPEAL NO. 6029 OF 2025
(Arising out of SLP (C) No. 9824 of 2024)

CIVIL APPEAL NO. 6030 OF 2025
(Arising out of SLP (C) No. 9269 of 2024)

CIVIL APPEAL NO. 6031 OF 2025
(Arising out of SLP (C) No. 13111 of 2024)

CIVIL APPEAL NO. 6032 OF 2025
(Arising out of SLP (C) No. 11010 of 2024)

CIVIL APPEAL NO. 6033 OF 2025
(Arising out of SLP (C) No. 18020 of 2024)

CIVIL APPEAL NO. 6034 OF 2025
(Arising out of SLP (C) No. 9825 of 2024)

CIVIL APPEAL NO. 6035 OF 2025
(Arising out of SLP (C) No. 11684 of 2024)

CIVIL APPEAL NO. 6036 OF 2025
(Arising out of SLP (C) No. 18093 of 2024)

CIVIL APPEAL NO. 6037 OF 2025
(Arising out of SLP (C) No. 11688 of 2024)

CIVIL APPEAL NO. 6038 OF 2025
(Arising out of SLP (C) No. 11011 of 2024)

CIVIL APPEAL NO. 6039 OF 2025
(Arising out of SLP (C) No. 11685 of 2024)

CIVIL APPEAL NO. 6040 OF 2025
(Arising out of SLP (C) No. 18040 of 2024)

CIVIL APPEAL NO. 6041 OF 2025
(Arising out of SLP (C) No. 10322 of 2024)

CIVIL APPEAL NO. 6042 OF 2025
(Arising out of SLP (C) No. 17953 of 2024)

CIVIL APPEAL NO. 6043 OF 2025
(Arising out of SLP (C) No. 18079 of 2024)

CIVIL APPEAL NO. 6044 OF 2025
(Arising out of SLP (C) No. 11288 of 2024)

CIVIL APPEAL NO. 6045 OF 2025
(Arising out of SLP (C) No. 10736 of 2024)

CIVIL APPEAL NO. 6046 OF 2025
(Arising out of SLP (C) No. 17728 of 2024)

CIVIL APPEAL NO. 6047 OF 2025
(Arising out of SLP (C) No. 17723 of 2024)

CIVIL APPEAL NO. 6048 OF 2025
(Arising out of SLP (C) No. 17730 of 2024)

CIVIL APPEAL NO. 6049 OF 2025
(Arising out of SLP (C) No. 17729 of 2024)

CIVIL APPEAL NO. 6050 OF 2025
(Arising out of SLP (C) No. 17724 of 2024)

CIVIL APPEAL NO. 6051 OF 2025
(Arising out of SLP (C) No. 17716 of 2024)

CIVIL APPEAL NO. 6052 OF 2025
(Arising out of SLP (C) No. 17719 of 2024)

CIVIL APPEAL NO. 6053 OF 2025
(Arising out of SLP (C) No. 17725 of 2024)

CIVIL APPEAL NO. 6054 OF 2025
(Arising out of SLP (C) No. 12478 of 2024)

CIVIL APPEAL NO. 6055 OF 2025
(Arising out of SLP (C) No. 17726 of 2024)

CIVIL APPEAL NO. 6056 OF 2025
(Arising out of SLP (C) No. 17722 of 2024)

CIVIL APPEAL NO. 6057 OF 2025
(Arising out of SLP (C) No. 18385 of 2024)

CIVIL APPEAL NO. 6058 OF 2025
(Arising out of SLP (C) No. 19828 of 2024)

CIVIL APPEAL NO. 6059 OF 2025
(Arising out of SLP (C) No. 19185 of 2024)

CIVIL APPEAL NO. 6060 OF 2025
(Arising out of SLP (C) No. 19844 of 2024)

CIVIL APPEAL NO. 6061 OF 2025
(Arising out of SLP (C) No. 18505 of 2024)

CIVIL APPEAL NO. 6062 OF 2025
(Arising out of SLP (C) No. 18504 of 2024)

CIVIL APPEAL NO. 6063 OF 2025
(Arising out of SLP (C) No. 19826 of 2024)

CIVIL APPEAL NO. 6064 OF 2025
(Arising out of SLP (C) No. 19128 of 2024)

CIVIL APPEAL NO. 6065 OF 2025
(Arising out of SLP (C) No. 18114 of 2024)

CIVIL APPEAL NO. 6066 OF 2025
(Arising out of SLP (C) No. 13823 of 2024)

CIVIL APPEAL NO. 6067 OF 2025
(Arising out of SLP (C) No. 17718 of 2024)

CIVIL APPEAL NO. 6068 OF 2025
(Arising out of SLP (C) No. 17717 of 2024)

CIVIL APPEAL NO. 6069 OF 2025
(Arising out of SLP (C) No. 17720 of 2024)

CIVIL APPEAL NO. 6070 OF 2025
(Arising out of SLP (C) No. 17721 of 2024)

CIVIL APPEAL NO. 6071 OF 2025
(Arising out of SLP (C) No. 18086 of 2024)

CIVIL APPEAL NO. 6072 OF 2025
(Arising out of SLP (C) No. 13513 of 2024)

CIVIL APPEAL NO. 6073 OF 2025
(Arising out of SLP (C) No. 18088 of 2024)

CIVIL APPEAL NO. 6074 OF 2025
(Arising out of SLP (C) No. 17727 of 2024)

CIVIL APPEAL NO. 6075 OF 2025
(Arising out of SLP (C) No. 19812 of 2024)

CIVIL APPEAL NO. 6076 OF 2025
(Arising out of SLP (C) No. 19811 of 2024)

CIVIL APPEAL NO. 6077 OF 2025
(Arising out of SLP (C) No. 19806 of 2024)

CIVIL APPEAL NO. 6078 OF 2025
(Arising out of SLP (C) No. 19807 of 2024)

CIVIL APPEAL NO. 6079 OF 2025
(Arising out of SLP (C) No. 19837 of 2024)

CIVIL APPEAL NO. 6080 OF 2025
(Arising out of SLP (C) No. 19119 of 2024)

CIVIL APPEAL NO. 6081 OF 2025
(Arising out of SLP (C) No. 19839 of 2024)

CIVIL APPEAL NO. 6082 OF 2025
(Arising out of SLP (C) No. 19094 of 2024)

CIVIL APPEAL NO. 6083 OF 2025
(Arising out of SLP (C) No. 19813 of 2024)

CIVIL APPEAL NO. 6084 OF 2025
(Arising out of SLP (C) No. 19838 of 2024)

CIVIL APPEAL NO. 6085 OF 2025
(Arising out of SLP (C) No. 19802 of 2024)

CIVIL APPEAL NO. 6086 OF 2025
(Arising out of SLP (C) No. 19814 of 2024)

CIVIL APPEAL NO. 6087 OF 2025
(Arising out of SLP (C) No. 18912 of 2024)

CIVIL APPEAL NO. 6088 OF 2025
(Arising out of SLP (C) No. 17831 of 2024)

CIVIL APPEAL NO. 6089 OF 2025
(Arising out of SLP (C) No. 16195 of 2024)

CIVIL APPEAL NO. 6090 OF 2025
(Arising out of SLP (C) No. 17828 of 2024)

CIVIL APPEAL NO. 6091 OF 2025
(Arising out of SLP (C) No. 19374 of 2024)

CIVIL APPEAL NO. 6092 OF 2025
(Arising out of SLP (C) No. 14447 of 2024)

CIVIL APPEAL NO. 6093 OF 2025
(Arising out of SLP (C) No. 16252 of 2024)

CIVIL APPEAL NO. 6094 OF 2025
(Arising out of SLP (C) No. 17832 of 2024)

CIVIL APPEAL NO. 6095 OF 2025
(Arising out of SLP (C) No. 19373 of 2024)

CIVIL APPEAL NO. 6096 OF 2025
(Arising out of SLP (C) No. 18421 of 2024)

CIVIL APPEAL NO. 6097 OF 2025
(Arising out of SLP (C) No. 18907 of 2024)

CIVIL APPEAL NO. 6098 OF 2025
(Arising out of SLP (C) No. 18939 of 2024)

CIVIL APPEAL NO. 6099 OF 2025
(Arising out of SLP (C) No. 19130 of 2024)

CIVIL APPEAL NO. 6100 OF 2025
(Arising out of SLP (C) No. 17282 of 2024)

CIVIL APPEAL NO. 6101 OF 2025
(Arising out of SLP (C) No. 18834 of 2024)

CIVIL APPEAL NO. 6102 OF 2025
(Arising out of SLP (C) No. 19405 of 2024)

CIVIL APPEAL NO. 6103 OF 2025
(Arising out of SLP (C) No. 19402 of 2024)

CIVIL APPEAL NO. 6104 OF 2025
(Arising out of SLP (C) No. 19403 of 2024)

CIVIL APPEAL NO. 6105 OF 2025
(Arising out of SLP (C) No. 19816 of 2024)

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(Arising out of SLP (C) No. 19815 of 2024)

CIVIL APPEAL NO. 6107 OF 2025
(Arising out of SLP (C) No. 19818 of 2024)

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(Arising out of SLP (C) No. 19817 of 2024)

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(Arising out of SLP (C) No. 19819 of 2024)

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(Arising out of SLP (C) No. 19896 of 2024)

CIVIL APPEAL NO. 6111 OF 2025
(Arising out of SLP (C) No. 19897 of 2024)

CIVIL APPEAL NO. 6112 OF 2025
(Arising out of SLP (C) No. 19898 of 2024)

CIVIL APPEAL NO. 6113 OF 2025
(Arising out of SLP (C) No.12697 of 2025)
(D No(s). 6420/2024)

CIVIL APPEAL NO. 6114 OF 2025
(Arising out of SLP (C) No.12698 of 2025)
(D No(s). 15055 of 2024)

CIVIL APPEAL NO. 6115 OF 2025
(Arising out of SLP (C) No.12699 of 2025)
(D No(s). 17878 of 2024)

CIVIL APPEAL NO. 6116 OF 2025
(Arising out of SLP (C) No. 12204 of 2024)

CIVIL APPEAL NO. 6117 OF 2025

(Arising out of SLP (C) No. 12700 of 2025)
(D No(s). 23106 of 2024)

CIVIL APPEAL NO. 6118 OF 2025

(Arising out of SLP (C) No. 12701 of 2025)
(D No(s). 24122 of 2024)

CIVIL APPEAL NO. 6119 OF 2025

(Arising out of SLP (C) No. 12702 of 2025)
(D No(s). 24433 of 2024)

CIVIL APPEAL NO. 6120 OF 2025

(Arising out of SLP (C) No. 12703 of 2025)
(D No(s). 26868 of 2024)

CIVIL APPEAL NO. 6121 OF 2025

(Arising out of SLP (C) No. 12704 of 2025)
(D No(s). 34933 of 2024)

CIVIL APPEAL NO. 6122 OF 2025

(Arising out of SLP (C) No. 12177 of 2024)

CIVIL APPEAL NO. 6123 OF 2025

(Arising out of SLP (C) No. 12705 of 2025)
(D No(s). 29961 of 2024)

CIVIL APPEAL NO. 6124 OF 2025

(Arising out of SLP (C) No. 12706 of 2025)
(D No(s). 40195 of 2024)

CIVIL APPEAL NO. 6125 OF 2025

(Arising out of SLP (C) No. 12707 of 2025)
(D No(s). 40735 of 2024)

CIVIL APPEAL NO. 6126 OF 2025

(Arising out of SLP (C) No. 12708 of 2025)
(D No(s). 26664 of 2024)

CIVIL APPEAL NO. 6127 OF 2025

(Arising out of SLP (C) No. 12709 of 2025)

(D No(s). 30724 of 2024)

CIVIL APPEAL NO. 6128 OF 2025

(Arising out of SLP (C) No. 12710 of 2025)
(D No(s). 20401 of 2024)

CIVIL APPEAL NO. 6129 OF 2025

(Arising out of SLP (C) No. 12711 of 2025)
(D No(s). 24304 of 2024)

CIVIL APPEAL NO. 6130 OF 2025

(Arising out of SLP (C) No. 12712 of 2025)
(D No(s). 25401 of 2024)

CIVIL APPEAL NO. 6131 OF 2025

(Arising out of SLP (C) No. 12713 of 2025)
(D No(s). 20721 of 2024)

CIVIL APPEAL NO. 6132 OF 2025

(Arising out of SLP (C) No. 12714 of 2025)
(D No(s). 23128 of 2024)

CIVIL APPEAL NO. 6133 OF 2025

(Arising out of SLP (C) No. 12715 of 2025)
(D No(s). 25183 of 2024)

CIVIL APPEAL NO. 6134 OF 2025

(Arising out of SLP (C) No. 24414 of 2024)

CIVIL APPEAL NO. 6135 OF 2025

(Arising out of SLP (C) No. 24403 of 2024)

CIVIL APPEAL NO. 6136 OF 2025

(Arising out of SLP (C) No. 24413 of 2024)

CIVIL APPEAL NO. 6137 OF 2025

(Arising out of SLP (C) No. 23697 of 2024)

CIVIL APPEAL NO. 6138 OF 2025

(Arising out of SLP (C) No. 3646 of 2024)

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(Arising out of SLP (C) No. 10809/2025)

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(Arising out of SLP (C) No. 10808/2025)

CIVIL APPEAL NO. 6141 OF 2025
(Arising out of SLP (C) No. 25573 of 2024)

CIVIL APPEAL NO. 6142 OF 2025
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(D No(s). 40799 of 2024)

CIVIL APPEAL NO. 6143 OF 2025
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CIVIL APPEAL NO. 6145 OF 2025
(Arising out of SLP (C) No. 26523 of 2024)

CIVIL APPEAL NO. 6146 OF 2025
(Arising out of SLP (C) No. 26522 of 2024)

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(Arising out of SLP (C) No. 27383 of 2024)

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(Arising out of SLP (C) No. 27385 of 2024)

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(Arising out of SLP (C) No. 27769 of 2024)

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(Arising out of SLP (C) No. 12717 of 2025)
(D No(s). 45079 of 2024)

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(Arising out of SLP (C) No. 12718 of 2025)
(D No(s). 45103 of 2024)

CIVIL APPEAL NO. 6152 OF 2025
(Arising out of SLP (C) No. 12719 of 2025)

(D No(s). 49911 of 2024)

CIVIL APPEAL NO. 6153 OF 2025
(Arising out of SLP (C) No. 10704/2025)

CIVIL APPEAL NO. 6154 OF 2025
(Arising out of SLP (C) No. 12720 of 2025)
(D No(s). 49468 of 2024)

CIVIL APPEAL NO. 6155 OF 2025
(Arising out of SLP (C) No. 12721 of 2025)
(D No(s). 48673 of 2024)

CIVIL APPEAL NO. 6156 OF 2025
(Arising out of SLP (C) No. 30614 of 2024)

CIVIL APPEAL NO. 6157 OF 2025
(Arising out of SLP (C) No. 30966 of 2024)

CIVIL APPEAL NO. 6158 OF 2025
(Arising out of SLP (C) No. 31114 of 2024)

CIVIL APPEAL NO. 6159 OF 2025
(Arising out of SLP (C) No. 31119 of 2024)

CIVIL APPEAL NO. 6160 OF 2025
(Arising out of SLP (C) No. 861/2025)

CIVIL APPEAL NO. 6161 OF 2025
(Arising out of SLP (C) No. 908/2025)

CIVIL APPEAL NO. 6162 OF 2025
(Arising out of SLP (C) No. 12722 of 2025)
(D No(s). 26743 of 2024)

CIVIL APPEAL NO. 6163 OF 2025
(Arising out of SLP (C) No. 994/2025)

CIVIL APPEAL NO. 6164 OF 2025
(Arising out of SLP (C) No. 12723 of 2025)
(D No(s). 30373 of 2024)

CIVIL APPEAL NO. 6165 OF 2025

(Arising out of SLP (C) No. 993/2025

CIVIL APPEAL NO. 6166 OF 2025

(Arising out of SLP (C) No. 3100/2025

CIVIL APPEAL NO. 6167 OF 2025

(Arising out of SLP (C) No. 12724 of 2025)
(D No(s). 51888 of 2024)

CIVIL APPEAL NO. 6168 OF 2025

(Arising out of SLP (C) No. 12725 of 2025)
(D No(s). 5363/2025

CIVIL APPEAL NO. 6169 OF 2025

(Arising out of SLP (C) No. 9886/2025

CIVIL APPEAL NO. 6170 OF 2025

(Arising out of SLP (C) No. 9896/2025

CIVIL APPEAL NO. 6171 OF 2025

(Arising out of SLP (C) No. 8881/2025

CIVIL APPEAL NO. 6172 OF 2025

(Arising out of SLP (C) No. 12726 of 2025)
(D No(s). 36796 of 2024)

CIVIL APPEAL NO. 6173 OF 2025

(Arising out of SLP (C) No. 12727 of 2025)
(D No(s). 11074/2025

CIVIL APPEAL NO. 6174 OF 2025

(Arising out of SLP (C) No. 10418/2025

CIVIL APPEAL NO. 6175 OF 2025

(Arising out of SLP (C) No. 11109/2025

CIVIL APPEAL NO. 6176 OF 2025

(Arising out of SLP (C) No. 11110/2025

CIVIL APPEAL NO. 6177 OF 2025

(Arising out of SLP (C) No. 12728 of 2025)
(D No(s). 16381/2025

J U D G M E N T**J.K. MAHESWARI, J.**

1. Leave granted.
2. The present batch of appeals is in connection with grant of appointment under the Odisha Civil Services Rehabilitation Assistance Rules prevalent in the state, and against an order dated 27.06.2023. The High Court of Orissa, Cuttack by the impugned judgment vide paragraphs 84, 85, 86 and 87 directed as under: -

"84. In view of the above decision, we are of the view that the application for the petitioners shall be considered under the Odisha Civil Services (Rehabilitation Assistance) Rules, 1990 in as much as on scrutiny, it is found that all the applications were filed before 17.02.2020 and the delay in considering the applications in time is entirely attributable to the opposite parties. Such exercise shall be completed within a period of three months from the day when a copy of the judgment/order shall be placed before the opposite parties by the petitioners.

85. That apart, while dealing with the applications in which the petitioners have sought the rehabilitation assistance/appointment against a direct payment/GIA Rules at the Government aided educational institution, the applicability of the rehabilitation scheme in those institutions shall be separately determined by the opposite parties on the basis of the policy of the

Government as discussed by us. If it is found that the Odisha Civil Services (Rehabilitation Assistance) Rules, 1990 was applicable on the date of death of the deceased employee, the petitioner shall be considered for rehabilitation assistance/appointment. So far as the retrospective operation of the rehabilitation assistance/appointment is concerned, this Court cannot direct the opposite parties to give the appointment retrospectively under the Rehabilitation Assistance/ Appointment Scheme in as much as it is no more res integra, the petitioner does not have any vested right of appointment under such rehabilitation assistance/appointment scheme. They are only entitled to be considered under the scheme for that purpose.

86. Consequently, the opposite parties shall consider the applications of the petitioners under the Odisha Civil Services (Rehabilitation Assistance) Rules, 1990 read with the relevant policy extending such scheme to the Government aided educational institutions at the relevant time of the death of the deceased employee for the purpose of the rehabilitation assistance/appointment within the time as prescribed above.

87. The orders passed by the opposite parties rejecting the applications for rehabilitation assistance/appointment in case of some of the petitioners are quashed."

3. In the facts, the short question which falls for our consideration is whether directions issued by the High Court in the order impugned warrants interference in view

of the Odisha Civil Services (Rehabilitation Assistance) Rules, 2020?

4. In the present case, respondents have filed writ petitions seeking appointment on compassionate ground under the Odisha Civil Service (Rehabilitation Assistance) Rules, 1990 (for short '1990 rules'). The notification dated 13th September 1990 was issued in exercise of powers conferred by the proviso to Article 309 of the Constitution of India and the State Government through Governor made the 1990 rules to regulate recruitment to the state civil services and posts as a measure of rehabilitation assistance. The said rules were made applicable to the member of the family as specified in rule 2(b). As per rule 8, application was required to be made in Form A to the appointing authority under whom the deceased government servant had last worked. As prescribed in 1990 rules, on receiving application, the report has to be requisitioned from the Collector of the district to ascertain whether the family is in financial distress. On receipt of the report, the appointing

authority shall issue an order of appointment if the report is in favour, on the available vacancy. The appointment as specified therein shall be subject to rule 9 of the said rules.

5. In the year 2016, the 1990 rules were amended substituting rule 8. Thereafter, on 17th February 2020, Odisha Civil Services (Rehabilitation Assistance) Rules, 2020 (for short '2020 rules') were notified substituting the 1990 rules. Rule 6 thereof prescribes mode of appointment and the process to be followed for appointment as specified in rule 6(9) whereby it was made clear that the pending cases as on the date of publication of these rules shall be dealt with in accordance with provision of 2020 rules.

6. Being aggrieved by the correspondence made by the department to deal with the application of rehabilitation assistance in accordance with 2020 rules in the cases where employees have died during subsistence of 1990 rules, writ petitions were filed which were disposed with the directions as referred above. The High Court made it

clear that the date of death of the deceased employee would be relevant factor and the case of the respondents shall be considered applying the 1990 rules and not as per 2020 rules. It was also made clear that respondents would not be entitled to claim appointments retrospectively.

7. Being aggrieved these appeals were preferred by the State, challenging the directions, wherein after issuance of notice and grant of stay, during hearing the State Government through the Advocate General gave an assurance regarding formulation of a new policy with the intent to provide benefit to the respondents as directed by the High Court under the rules prevalent at the time of death of the employee. Learned Advocate General has produced the amendment rules which were notified on 04.04.2025, issued by the General Administration & Public Grievance Department of the State of Odisha amending sub-rule (9) of Rule 6 of 2020 rules.

8. In view of the assurance given by the learned Advocate General for the State of Odisha, this Court in

this proceeding dated 21.04.2025 issued the following directions: -

"1) Learned Advocate General appearing for the State of Odisha has produced Notification dated 04.04.2025 making amendment in sub-Rule 9(a) of Rule 6 of the Odisha Civil Services (Rehabilitation Assistance) Rules, 2020.

2) It is stated before us that except the cases covered by the block grants Schools and Colleges, all other cases would be governed by these Rules and the Government is benevolent to extend the benefit of rehabilitation assistance to them; therefore, the amendment has been brought into the Rules.

3) It is further stated by him that he shall produce a list of cases which are governed by these Rules and do not fall in the category under block grant schools/colleges.

4) The said list be published on the website (GA.ODISHA.GOV.IN) on or before 28th April, 2025, whereby the counsel for respondents may identify those cases which are covered by these Rules.

5) The said list be furnished to the Registry immediately on the next date of publication, that is, on 29th April, 2025.

6) Registry to list these cases in two separate bunches: one which are covered by this amendment to the Rules and the other, which are not covered."

9. In furtherance, list of cases of the schools and colleges not governed by block grant has been placed

before the Registry and all those cases are being heard and decided by this order.

10. In the context of controversy wherein by the order of the Government to apply 2020 rules in the case of death occurred prior to commencement of those rules, has been dealt with by Odisha Civil Services (Rehabilitation Assistance) Amendment Rules, 2025 (for short "2025 rules") whereby rule 6(9) was substituted adding rule 9 (a), (b) and (c). The said rules are relevant to the case in hand, therefore, reproduced as thus:

"(9) (a) All pending applications, relating to death of Government employee prior to the date of commencement of the Odisha Civil Services (Rehabilitation Assistance) Rules, 2020 shall be dealt in accordance with the rules prevailing on the date of death of Government employee for appointment under Rehabilitation Assistance Scheme:

Provided that in case the death of Government employee occurred on or after commencement of the Odisha Civil Service (Rehabilitation Assistance) Amendment Rules, 2016 and before commencement of the Odisha Civil Services (Rehabilitation Assistance) Rules, 2020, shall be governed by the provisions of the Odisha Civil Service (Rehabilitation Assistance) Rules, 1990.

(b) In case the death of Government employee occurred prior to commencement of the Odisha Civil Service (Rehabilitation Assistance) Amendment Rules, 2016, shall be dealt on the basis of distress certificate available in the existing or original application as per the Odisha Civil Service (Rehabilitation Assistance) Rules, 1990.

(c) In case the death of Government employee occurred on or after commencement of the Odisha Civil Service (Rehabilitation Assistance) Amendment Rules, 2016 and before commencement of the Odisha Civil Services (Rehabilitation Assistance) Rules, 2020, the appointing authority shall ascertain the present financial distress of the family by calling for a report from Collector of the district in which the family ordinarily resides, as to whether the family is in financial distress as per the provisions of rule 8 of the Odisha Civil Service (Rehabilitation Assistance) Rules, 1990.

Explanation for the distress certificate prescribed under clause (c). - The total annual family income from all sources excluding Family pension and temporary increase must not exceed Rs.1,91,000/- (Rupees One Lakh and Ninety-One Thousand) for a family to be in a 'distress condition'."

11. Learned Advocate General appearing for the State has assured that the officers of the State shall apply the notification dated 04.04.2025 referred above *mutatis mutandis* in the case of all the respondents and the dispute regarding the grant of appointment under the 2025 rules as applicable on the date of death would be

considered in terms of the directions, if any, issued by this Court.

12. After hearing the learned Advocate General and learned advocates appearing for respondents and bestowing our consideration, in our view, the directions issued in the order impugned finds force from the amended rules notified on 04.04.2025 referred above. Therefore, we are inclined to maintain the order of the High Court and to dispose of all these appeals with the following directions:

- (i) The respondents are at liberty to submit an application, if not already submitted, within a period of twelve weeks, to the jurisdictional authorities along with requisite documents as specified in the notification dated 04.04.2025.
- (ii) In the cases where application has already been submitted and any additional documents are required to be submitted, the same be furnished to the authority in reference to

their pending application or in reference to the demand, made by the authority if any, within the same period of twelve weeks.

- (iii) On receiving the applications as mentioned above, the appropriate authority shall examine the cases of individual respondent in terms of the 2025 amended rules and pass appropriate order. It is needless to say that the applications, so filed, shall not be rejected on technical grounds and shall be considered sympathetically strictly in accordance with the Rules.
- (iv) In case the post is available, the competent authority shall pass an order of appointment, otherwise the procedure as prescribed in the relevant rules shall be followed and thereafter the respondents be permitted to join their duties within the time specified.

- (v) It is also clarified that the appointment already granted by the Government extending the benefit of Rehabilitation Assistance Scheme shall remain unaffected by the directions as contained hereinabove.
- (vi) In case the claim of individual respondent is rejected by the authorities, they are at liberty to take recourse of law as is permissible.
- (vii) The directions as issued hereinabove shall apply *mutatis mutandis* in all pending cases. The aspirants are not required to take recourse until their claim is rejected. Pending writ petitions before High Court, if any, shall also be disposed of in accordance with the directions issued above.
- (viii) Accordingly, the present appeals are disposed of. Pending applications, if any, shall also stand disposed of.

....., J.
[J.K. MAHESHWARI]

New Delhi;
May 02, 2025.

....., J.
[ARAVIND KUMAR]