

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.42 of 2022

Sushree Mishra

....

Petitioner

Mr. U.C. Mahapatra, *Advocate*

-versus-

State of Odisha and others

....

Opp. Parties

Mr. S. Jena,

Standing Counsel for S & ME

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

10.01.2022

Order No.

01.

1. This matter is taken up through Video Conferencing Mode.
2. Heard Mr. U.C. Mahapatra, learned counsel appearing for the Petitioner and Mr. S. Jena, learned Standing Counsel appearing for the School and Mass Education Department.
3. The present writ petition has been filed by the Petitioner seeking for a direction to the Opposite Parties to absorb the services of the Petitioner and to regularize service of the petitioner in the post of Computer Teacher/ School Coordinator/Data Entry Operator after completion of six years of service from the date of enter into service i.e. 19.06.2007.
4. Learned counsel for the Petitioner submits that the present petitioner is working in one Government High School, Unit No.1, Bhubaneswar for last fifteen years. However, the service of the Petitioner has not yet been regularized. Further, learned counsel for the Petitioner relies on judgment of this Court passed in the case of ***Rasmi Rekha Dash vrs. State of Odisha and another*** passed in

W.P.(C) No.16906 of 2020 disposed of on 23.11.2021

5. Mr. S. Jena, learned Standing Counsel appearing for the School and Mass Education Department submits that representation filed by the Petitioner under Annexure-8 is prior to the date of the judgment in the case of ***Rasmi Rekha Dash vrs. State of Odisha and another*** (supra). Therefore, the Petitioner may be directed to file a fresh representation before the authority for consideration in accordance with.

6. Having heard learned counsel for the parties, without entering into the merits of the case, this Court disposes of the writ petition with a direction to the Petitioner to file a fresh representation along with copy of the judgment passed in the case of ***Rasmi Rekha Dash vrs. State of Odisha and another*** (supra) within a period of two weeks from today along with authenticated copy of this order before the Director, Secondary Education, Odisha, Bhubaneswar-Opposite Party No.2. In the event such a representation is filed, the Opposite Party No.2 shall do well to dispose of the same within a period of three months from the date of production of fresh representation along with authenticated copy of this order. It is needless to mention here that the Opposite Party No.2 consider and dispose of the representation of the Petitioner by passing a reasoned and speaking order. The decision taken on the same shall be communicated to the Petitioner within a period of ten days thereafter.

7. With the aforesaid observation, the writ petition stands disposed of.

8. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a print out

of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Office Order dated 7th January, 2022.

(A.K. Mohapatra)
Judge

Jagabandhu

