

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 1397 of 2022

*Subash Chandra Mohanty and
others*

.....

Petitioners

Mr. S.K. Joshi, Advocate

Vs.

State of Odisha and others

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

24.01.2022

Order No.

01

This matter is taken up through video conferencing mode.

2. The petitioners have filed this writ petition seeking direction to the opposite parties to regularize their service.

3. In course of hearing, learned counsel for the petitioners states the case of the petitioners have been recommended by the opposite party no.4 to the opposite party no.2 on 12.02.2019 under Annexure-6, however, till date, no decision has been taken on such recommendation. Accordingly he prayed that a direction may be given to opposite party no.2 to take a decision on the recommendation under Annexure-6 with regard to regularization of the service of the petitioners, taking into consideration the ratio decided in the case of *Secretary State of Karnataka v. Umadevi (3)*, 2006(4) SCC 1, *State of Karnataka and others v. M.L.Keshari and others*, 2010(II) OLR (SC) 982, and *Amarkanti Rai v. State of Bihar and others*, (2015) 8 SCC 265, within a stipulated time, to which learned counsel for the State has no objection.

4. As agreed to by learned counsel for the parties, however, without expressing any opinion on the merits of the case, this writ petition stands disposed of directing opposite party no.2 to take a decision on the recommendation under Annexure-6, taking into

consideration the ratio decided by this Court in the case of *Umadevi (3), M.L.Keshari and Amarkanti Rai (supra)*, as expeditiously as possible, preferably within a period of three months from the date of receipt of such representation along with the certified/authenticated copy of this order.

5. 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 Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

Arun

(DR. B.R. SARANGI)
JUDGE

