

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 18997 of 2012

Sangram Keshari Mohanty

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Petitioner

Mr. R.K. Rout, Advocate

Vs.

State of Odisha & Ors.

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

15.03.2022

Order No.

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This matter is taken up through hybrid mode.

2. Heard Mr. R.K. Rout, learned counsel for the petitioner and Mr. A.K. Mishra, learned counsel for the opposite parties.

3. The petitioner has filed this writ petition assailing the order dated 04.05.2011 passed by the Odisha Administrative Tribunal, Bhubaneswar in O.A. No.2507 of 1994 vide Annexure-11.

4. Mr. R.K. Rout, learned counsel for the petitioner contended that the petitioner was appointed on 22.05.1992 as FMD on ad-hoc basis by opposite party no.4 for a period of 89 days under the scheme of IDC in the scale of Rs.800-1150/- and thereafter, his services were extended from time to time. Thereafter, opposite party no.4 issued office order on 10.01.1994 converting his continuous service from 21.02.1993 onwards as adhoc service of 44 days. He further contended that though the services of

similarly situated persons have been regularized, his services have not been regularized. Therefore, he approached the tribunal by filing O.A. No.2507 of 1994 and the tribunal passed the order impugned dated 04.05.2011, which is the subject matter of challenge in this writ petition.

5. Mr. A.K. Mishra, learned counsel for the opposite parties contended that the petitioner was appointed under the scheme of IDC in the scale of Rs.800-1150/- and when the scheme was over, he was no more in employment. Therefore, tribunal has not committed any error passing the order impugned dated 04.05.2011 so as to warrant interference of this Court.

6. Considering the contentions raised by learned counsel for the parties and after going through the records, it appears that the petitioner was appointed on 22.05.1992 as FMD on ad-hoc basis by opposite party no.4 for a period of 89 days under the scheme of IDC in the scale of Rs.800-1150/- and thereafter, his services were extended from time to time. Thereafter, opposite party no.4 issued office order on 10.01.1994 converting his continuous service from 21.02.1993 onwards as adhoc service of 44 days. But finally, his services have not been extended after 1994. Therefore, his claim for regularization of service is not tenable. Even though it is asserted that the services of the similarly situated persons have been regularized, but the petitioner has been discriminated, as a

matter of fact, the petitioner does not stand on the same footing.

7. In that view of the matter, this Court does not find any error in the impugned order dated 04.05.2011 passed by the Tribunal in O.A. No.2507 of 1994 so as to warrant interference of this Court. Accordingly, the writ petition merits no consideration and the same is dismissed.

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(DR. B.R. SARANGI)
JUDGE

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(SAVITRI RATHO)
JUDGE

Alok/Sukant

