

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.2666 OF 2022

Umesh Rana & Ors.

.....

Petitioners

Mr. K. Swain, Advocate

Vs.

State of Odisha & Ors.

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

28.01.2022

Order No.
01

This matter is taken up by video conferencing mode.

2. Heard learned counsel for the petitioners.

3. The petitioners have filed this writ petition seeking direction to the opposite parties to treat them at par with Para Teachers of Phase-1 by treating them as Junior Teachers from the date of their absorption as Sikhya Sahayaks on notional basis and also regularizing their services as Primary School Teachers from 2014 instead of 2017 with all consequential benefits and their past services rendered as Para Teachers may be counted for the purpose of bringing them under Odisha Civil Service (Pension) Rules, 1992 and they may be given the benefit of GPF in accordance with G.P.F. (O) Rules, 1938 keeping in view the ratio decided by the apex Court in ***Parmeshwar Nanda v. State of Jharkhanda*** (Civil Appeal Nos.505-531 of 2020

arising out of S.L.P. (Civil) Nos.27922-27948 of 2017 disposed of on 07.02.2020) and ***State of Himachal Pradesh v. Joga Singh*** (SLP (C) No.183 of 2016 dismissed on 04.01.2016 and Review Petition No.274 of 2017 dismissed on 02.03.2017) within a stipulated period.

4. In course of hearing, learned counsel for the petitioners stated that highlighting the grievances, the petitioners have made representation to opposite party no.1 vide Annexure-9 and the same may be directed to be considered keeping in view the ratio decided by the apex Court in ***Parmeshwar Nanda and Joga Singh*** (supra) within a stipulated time.

5. Considering the limited grievance of the petitioners, this Court, without expressing any opinion on the merits of the case, disposes of the writ petition directing opposite party no.1 to consider the representation filed by the petitioners vide Annexure-9 and pass appropriate order in accordance with law keeping in view the ratio decided by the apex Court in ***Parmeshwar Nanda and Joga Singh*** (supra) within a period of three months from the date of production of certified copy of this order.

6. 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.

Alok

DR. B.R. SARANGI, J.

