

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.3042 of 2022

Banchhanidhi Sadmadia

....

Petitioner

Mr. Saroj Ku. Jee, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. S.Jena, Standing Counsel

S & ME

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

09.02.2022

Order No.

01.

1. This matter is taken up through Hybrid arrangement (virtual/physical mode).
2. The grievance of the Petitioner in the present writ application is that although his services have been regularized with effect from 08.11.2011 by the District Education Officer, Bargarh vide order dated 31.12.2020. The Petitioner is claiming regularization with effect from 15.01.1999. Therefore, it is submitted by the Petitioner that he is not aggrieved by the order under Annexure-4. Only his prayer is for modification of the date with effect from which the order of regularization shall be given effect to.
3. Learned counsel appearing for the School & Mass Education Department submits that he has no objection to the prayer made by the Petitioner. He further submits that after considering the factual background, the District Education Officer has passed necessary orders. Learned counsel for the Petitioner further submits that this

case is covered by the decision of this Court that the relief sought for by the Petitioner has been allowed by this Court in the case of similarly situated other employees. In the aforesaid context, he relies upon the order of this Court dated 01.10.2021 passed in W.P.(C) No.29357 of 2021 wherein the judgment of this Court dated 05.03.2020 passed in W.P.(C) No.10071 of 2018 has been relied upon.

4. Considering the aforesaid facts and circumstances, this Court disposes of the writ application with a direction to the Petitioner to file a fresh representation along with a copy of the order/judgment of this Court, the Petitioner is relying upon within a period of two weeks from today. In the event such a representation is filed the same shall be considered and shall be disposed of in accordance with law by a seasoned and speaking order within 10 weeks from the date of filing of representation. The decision so taken on the representation of the Petitioner be communicated to the Petitioner within 10 days thereafter.

5. It is made clear that this Court has expressed no opinion on the merits of the case.

6. With the aforesaid observation, the writ application stands disposed of.

7. Issue urgent certified copy of this order as per Rule.