

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.6547 of 2022

Prabhakara Panda

....

Petitioner

Mr. Saubhagya Kumar Samal, Adv.

-versus-

State of Orissa and Ors.

....

Opposite Parties

Ms. Suman Pattanayak, AGA

CORAM:

MR. JUSTICE S.K. PANIGRAHI

ORDER

27.04.2022

Order No.

02. 1. This matter is taken up through hybrid arrangement.
2. Heard.
3. In this writ petition, the petitioner seeks for a direction from this Court to the opposite party Nos.1 and 2 to regularize his service from 05.05.2005 to 12.09.2008.
4. Learned counsel for the petitioner submits that that the petitioner had earlier approached this Court in W.P.(C) No.4473 of 2007 challenging the order of opposite party No.2 in transferring the petitioner to Kendrapara College, Kendrapara as Reader in Commerce. This Court vide order dated 17.12.2007 disposed of the said writ petition with a direction to the State Government to consider the posting of the petitioner as Principal keeping in view the fact that several posts of Principals are lying vacant and the petitioner's service be regularized and unpaid salary be paid to him. But as the matter stood thus, after a period of one year, the petitioner was handed over the charge of People's College, Buguda on 12.09.2008. But the opposite party No.1 vide order dated 06.06.2009 arbitrarily regularized the service of the petitioner

from 05.05.2005 to 13.11.2006 and from 31.03.2007 to 12.09.2008 as leave due as admissible and the period from 19.4.2006 to 30.3.2007 as joining time. Challenging the same, the petitioner again approached this Court in W.P. (C) No.13536 of 2009 and this Court vide order dated 02.07.2013 by quashing the order dated 06.06.2009 passed by the opposite party No.1 directed the opposite parties to regularise the period of service from 05.05.2005 to 12.9.2008 and, accordingly, calculate the pension amount payable along with all the arrears to the petitioner within a period of two months. He further submits that despite the order of this Court, the opposite parties are only paying provisional pension to the petitioner. Learned counsel for the petitioner also submits the petitioner has approached the opposite party No.2- Director of Higher Education, Odisha, Bhubaneswar by filing the representation under Annexure-10 which is pending since 15.12.2021. In view of pendency of the said representation, the petitioner is deprived of his legitimate dues. Hence, opposite party No.2- Director of Higher Education, Odisha, Bhubaneswar be directed to dispose of the representation of the petitioner within a stipulated time.

5. In such view of the matter, the opposite party No.2- Director of Higher Education, Odisha, Bhubaneswar is directed to dispose of the representation of the petitioner under Annexure-10 by passing a reasoned order within a period of three months from the date of production/presentation of a certified copy of this order along with a copy of this writ petition.

6. Accordingly, this writ petition stands disposed of.

7. Urgent certified copy of this order be granted on proper application.

(S.K. Panigrahi)
Judge

BJ

