

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.6994 of 2022

Dillip Kumar Samal

....

Petitioner

Mr. Sidheswar Mallik, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. P.C. Das, ASC for State

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

11.04.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned counsel for the State.
3. The writ petition filed with the following prayer:

“Under the aforesaid facts and circumstances the petitioner humbly prays that this Hon’ble Court may graciously be pleased to,

 - (i) Direct/order that the direction/order of the Tribunal for regularization of the petitioner shall be implemented and the petitioner shall be allowed all the benefits including benefit of increment in service as per the **clarification of Govt. under Annexure-6**, as has been extended to similarly situated persons.
 - (ii) Direct/order that after retirement the petitioner shall be allowed post retirement benefits as per the provisions of OCS Pension Rules, 1992 counting the entire period of service as pensionable service.
 - (iii) Pass such other order(s)/direction(s) as may be deemed fit and proper in the bonafide interest of justice.”

4. Learned counsel for the Petitioner submits that he wants to file a fresh representation highlighting his grievance and the case of the petitioner for regularization be considered in terms of the judgment of this Court in the case of ***Basanta Kumar Barik vs. State of Odisha and others (WPC(OA) No.616 of 2017, disposed of on 26.11.2021)***.

5. Considering the aforesaid submission of the learned counsel for the petitioner to which the learned State Counsel has no objection, this Court disposes of the writ petition with a direction to the Principal Secretary to Government of Odisha, Water Resources Department, Opposite Party No.1 to consider the grievance of the Petitioner as would be indicated in his fresh representation to be filed by the petitioner within two weeks from today and take a lawful decision thereon and consider the case of the Petitioner for regularization taking into account the judgment of this Court in the case of ***Basanta Kumar Barik vs. State of Odisha and others (WPC(OA) No.616 of 2017, disposed of on 26.11.2021)***.

6. The entire exercise shall be completed within a period of two months from the date of communication of copy of this order along with copy of the writ petition by the petitioner.

7. With the above direction, the writ petition stands disposed of.

8. Issue urgent certified copy of this order on proper application.

(A.K. Mohapatra)
Judge