

THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.7425 of 2022

Sri Hara Panchabihar

.... ***Petitioner***

Mr. Manas Pati, Advocate

-versus-

State of Odisha and others

.... ***Opposite Parties***

Mr. Y.S.P. Babu, AGA for State-OP No.1

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

23.03.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for both the parties.
3. The present writ petition by the Petitioner claiming regularization of his service at V.S.S. Medical College and Hospital, Burla, Sambalpur. It is submitted by learned counsel for the Petitioner that initially Petitioner was appointed as a Daily Wager/NMR employee by virtue of order dated 22.12.2007. He was placed at the disposal of the Blood Bank Officer, VSS Medical College Hospital, Burla. It is submitted that although Petitioner was working continuously since 1984, he has not been regularized till date. It is further submitted that the case of the Petitioner is squarely covered under the rules of the Government of Odisha, G.A. Department Resolution dated 17.09.2013 (Annexure-10) and Letter of the Administrative Officer, VSS IMSAR, Burla, dated 18.03.2016 (Annexure-11), wherein the Administrative Officer, VSS, IMSAR,

Burla has written to the Director of Medical Education & Training, Odisha, Bhubaneswar, Opposite Party No.2 for regularization of contractual employees of the VSS Institute. In the said letter it is stated that Petitioner has already completed 6 (six) years of service in the Institution, as per the Resolution dated 17.09.2013 (Annexure-10), his case may be considered for regularization. It is further submitted that Petitioner has submitted several representations before the Superintendent of VIMSAR, Burla. Finally, the present writ petition has been filed with a prayer for regularization of his service.

4. Learned counsel for the State on the other hand submits that the matter is pending before the Authority and no final decision has been taken as yet. Therefore, no direction may be issued to the Opposite Party No.2 till a decision is taken on the letter dated 18.03.2016 under Annexure-11.

5. Having heard learned counsel for the parties and after going through the documents, this Court disposes of the writ petition with a direction to the Opposite Party No.2 to take a decision on the letter of the Administrative Officer, VSS IMSAR Burla, vide Letter No.4063/VIMSAR, Burla dated 18.03.2016 under Annexure-11 within a period of two months from the date of production of certified copy of this order. Opposite Party No.2 is further directed to consider the representation of the petitioner in the light of the Govt. Resolution dated 17.09.2013 (Annexure-10) as well as the judgments of this Court and the Hon'ble Supreme Court and strictly in accordance with law and dispose of the same by passing a speaking and reasoned order thereon within the said period. It is

open for the Petitioner to submit any other documents or citations before the Opposite Party No.2 within two weeks from today along with certified copy of this order. Any decision taken on the representation shall be communicated to the Petitioner within two weeks from the date of taking such decision.

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

7. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge



U.K.Sahoo