

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 956 of 2014

Meena Ketan Das

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Petitioners

Mr. K.K. Swain, Advocate

Vs.

State of Orissa & Ors.

.....

Opposite parties

Mr. S. Jena, SC, S&ME

Deptt.

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

19.03.2022

Order No.

03

This matter is taken up through hybrid mode.

2. Heard Mr. K. Swain, learned counsel appearing on behalf of Mr. K.K. Swain, learned counsel for the petitioner and Mr. S. Jena, learned Standing Counsel for School and Mass Education Department.

3. The petitioner has filed this writ petition assailing the judgment/order dated 03.01.2012 passed in T.A. No.2(C) of 2006, by which the Odisha Administrative Tribunal, Cuttack Bench, Cuttack, while declining to regularize the services of the petitioner, has directed to disburse the salary of the petitioner for the period from 11.04.1988 to 16.12.1992.

4. Mr. K. Swain, learned counsel for the petitioner very fairly contended that though the petitioner was granted arrear salary as due and admissible to him, but

his services have not been regularized. It is further contended that the petitioner has in the meantime already attained the age of superannuation.

5. Mr. S. Jena, learned Standing Counsel for School and Mass Education Department contended that the petitioner's appointment, being a conditional one, he had to continue in the post till the regular candidate was joined, therefore, his service could not be regularized. He further contended that so far as arrear salary is concerned, the petitioner has been granted.

6. In that view of the matter, since the petitioner has already attained the age of superannuation, question of regularization of his service has become academic. Therefore, the writ petition has become infructuous by efflux of time and is accordingly disposed of.

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(DR. B.R. SARANGI)
JUDGE

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(SAVITRI RATHO)
JUDGE