

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 10045 of 2021

Rasmita Sasini

.....

Petitioner

Mr. B.B. Mishra, Advocate

-Versus-

State of Odisha and Ors.

.....

Opposite Parties

State Counsel [O.P.Nos.1 & 2]

Mr. B. Sahoo, Adv.[O.P.nos.3&4]

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

08.12.2022

I.A. No. 16053 of 2022

Order No.

06.

This matter is taken up by video conferencing mode.

2. Heard learned counsel for the petitioner and perused the office note. As it appears, order no.5 was in fact passed on “21.11.2022” but inadvertently it has been mentioned as “21.11.2021”.

3. In view of the above, the order dated 21.11.2022 passed in W.P.(C) No.10045 of 2021 is recalled and fresh order is passed today in W.P.(C) No. 10045 of 2021 in separate order sheets.

(DR. B.R. SARANGI)

JUDGE

P.T.O.

W.P.(C) No. 10045 of 2021**Order No.**
07.

This matter is taken up through hybrid mode.

2. Heard learned counsel for the petitioner.
3. The petitioner has filed this writ petition seeking direction to the opposite parties to regularize the services of the petitioner taking into account her continuous service of more than ten years and in terms of the principle decided in *Secretary State of Karnataka and Others v. Umadevi (3) and Others*, (2006) 4 SCC 1 and in *State of Karnataka & others Vrs. M.L. Kesari & others* involving SLP(C) No.15774/2006.
4. Learned counsel for the petitioner submits that the petitioner was engaged as Data Entry Operator by the Selection Committee of the Agency chosen by the Bank under the administrative control of opposite party no.2. She has already rendered more than ten years of service and therefore, seeks for regularization of her service in view of the judgment passed by the apex Court in *Secretary State of Karnataka and others v. Umadevi (3) and others*, (2006) 4 SCC 1 and in *State of Karnataka & others Vrs. M.L. Kesari & others* involving SLP(C) No.15774/2006.
5. Considering the contentions raised by the learned counsel for the petitioner and after going through the records, it appears that the petitioner has rendered service for more than ten years on monthly remuneration & outsourcing basis, but she has been working continuously against regular vacancies of the Bank. Therefore, the case of the petitioner is squarely covered by the ratio decided in the cases cited supra. In that view of the matter, this Court disposes of the Writ Petition directing the opposite parties no.2 to 5 to consider the case of the petitioner and regularize her services keeping in view the judgments in the case of *Secretary State of Karnataka and others v.*

Umadevi (3) and others, (2006) 4 SCC 1 and in *State of Karnataka & others Vrs. M.L. Kesari & others*, involving SLP(C) No.15774/2006 and also the resolution of the G.A. Department dated 17.09.2013, within a period of four months from the date of communication of a copy of this order by the petitioner and grant consequential service benefits as due admissible to him.

6. With the aforesaid observation and direction the writ petition is allowed.

Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

Ashok

