

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.9811 of 2022

Amareswar Sahoo

..... Petitioner
Mr. Sadasiva Patra (1), Advocate

-versus-

***Odisha State Agriculture and
Marketing Board, Bhubaneswar***

..... Opposite Parties
Mr. YSP Babu, AGA for State

**CORAM:
JUSTICE A.K.MOHAPATRA**

ORDER
09.05.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. This writ petition has been filed by the Petitioner with the following relief:

“In the above fact s and circumstances, the petitioner humbly prays that this Hon’ble Court may be graciously pleased to issue a writ/writs in the nature of writ of Mandamus directing the Opposite Parties to particularly the Opposite Party Nos.2 to regularize the services of the petitioner w.e.f. 11.08.2008 and grant all consequential service and financial benefits as due and admissible to the post by making due calculation taking into the ratio decided in the Judgment dated 22.01.2019 passed in W.P.(C) No.24473 of 2012 within a stipulated time.

And further be pleased to pass any other order/orders, direction/directions as deemed fit and proper.

And for this act of kindness, the Petitioner shall remain ever pray.”

4. It is submitted by learned counsel for the Petitioner that pursuant to the direction of this Court dated 11.11.2020, passed in W.P.(C) No.23766 of 2020, the Chairman of Regulated Market Committee, Nimapara-cum-Sub-Collector, Puri, Opposite Party No.4 has taken up the matter of the Petitioner for regularization and vide order dated 10.12.2020 passed in Misc. Case No.2 of 2020, Opposite Party No.4 has held that Petitioner has served more than 20 years in RMC Nimapara on NMR Basis and financial condition of RMC is not good, hence he may be regularized in service from the date of approval by the OSAM Board. It is further submitted that the OSAM Board has not taking any decision in the matter.

5. Learned counsel for the State submits that since the matter is pending before the General Manager, Odisha State Agriculture and Marketing Board, Bhubaneswar, Opposite Party No.2, this Court may direct Opposite Party No.2 to take a decision in the matter within a stipulated period of time.

6. Considering the aforesaid submissions and keeping in view of the facts and circumstances of the case, this Court is inclined to dispose of the writ petition at the stage of admission with a direction to the Opposite Party No.2 to take a decision on the letter of the of the Chairman of Regulated Market Committee, Nimapara-cum-Sub-Collector, Puri, Opposite Party No.4 dated 10.12.2020 (Annexure-7 series) within a period of six weeks from the date of production of certified copy of this order taking into consideration the judgment of this Court in the case of *Anu Charan Patra vs. Orissa State Agriculture and Marketing Board, Bhubaneswar and others*,

passed in W.P.(C) No.24473 of 2012, decided on 22.01.2019, and take a decision on the same by passing a speaking and reasoned order. The decision so taken shall be communicated to the Petitioner within a period of two weeks thereafter.

7. With the above observation, the writ petition stands disposed of.
8. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge

U.K.Sahoo

