

IN THE HIGH COURT OF ORISSA AT CUTTACK

WA No. 49 of 2014

Smt. Minati Mohapatra

....

Appellant

Mr. Digambar Mishra, Advocate

-versus-

***Orissa Power Generation Corporation
and Another***

.... ***Respondents***

Mr. B.P. Panda, Advocate

**CORAM:
THE CHIEF JUSTICE
DR. JUSTICE S.K. PANIGRAHI**

**ORDER
12.09.2022**

Order No.

02. 1. The challenge in the present appeal is to an order dated 5th February, 2014 passed by the learned Single Judge dismissing the Appellant's writ petition i.e. W.P.(C) No.8353 of 2013.
2. The prayer in the writ petition was for a direction to the Opposite Party-Orissa Power Generation Corporation Ltd. (OPGCL) to regularize the services of the Petitioner against the vacant post of Public Relation Officer (PRO) available in the OPGCL and give her the regular scale of pay.
3. The background facts are that the Board of Directors of OPGCL took a policy decision to create a post of PRO and Government Liaison under Rule 9(1)(e) of the OPGC Recruitment and Promotion Rules for Executives, 1992. Among the sources of direct recruitment

were those with specialized knowledge. Although the Appellant submitted an application stating that she should be appointed against the clear vacancy of PRO, she was only appointed as PR In-Charge on a consolidated pay of Rs. 1,500 per month. She was regularized in service by an order dated 31st August, 1996 in the rank of Junior Assistant.

4. The case of the Appellant is that she should have been regularized as PRO and not as a Junior Assistant. The learned Single Judge has noticed that earlier the very Appellant had filed another writ petition i.e. OJC No.7463 of 2000 which was disposed of on 31st August, 2010. The prayer in the said writ petition, as set out in the present appeal by the Appellant, was that the Respondent OPGCL should be directed to re-designate the Appellant as PRO instead of PR In-Charge and grant all service benefits retrospectively. This very prayer was rejected by the learned Single Judge. The Court is informed that against the said order the Appellant filed an SLP in the Supreme Court which was dismissed.

5. Although learned counsel for the Appellant tried to project the prayer in the above writ petition and the prayer in the present writ petition as being different, the Court is unable to agree. The prayer in the earlier writ petition was also for a direction to the Opposite Parties to re-designate the Appellant as PRO under E-I Grade (Executive Cadre) instead of PR In-Charge. More or less, the same prayer is made in the writ petition in this round too.

6. The Court is not able to find any error having been committed by the learned Single Judge in dismissing the writ petition. The writ

appeal is accordingly dismissed, but in the circumstances, with no order as to costs.

(Dr. S. Muralidhar)
Chief Justice

(Dr. S.K. Panigrahi)
Judge

S.K. Jena/Secy.

