

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.11435 of 2022

Binod Mahakur

.... Petitioner

-versus-

State of Odisha & Ors.

.... Opposite Parties

**COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
20.09.2022**

Order No

- 02.** 1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the Petitioner and learned counsel for the Opposite Parties.
3. The Petitioner has filed the present Writ Petition with the following prayer:-

“(i) A writ of mandamus or an appropriate writ may be issued quashing / setting aside the impugned decision of the High Power Committee dated 16.11.2020 communicated vide order dated 17.11.2020 may be quashed / set aside and necessary direction may be issued to the opposite parties to regularize the services of the petitioner keeping in mind the decision of the State Government in the case of Lochan Bag (supra), OA Nos.4179(C) of 2014 and other similar OAs, and the ***judgment passed in W.P.(C) No.33301 of 2020 and batch disposed of on 11.12.2021 Akhila Kumar Naik & Others vs. State of Odisha Others*** more particularly when the petitioner has put in more than 15 years of uninterrupted service under different Scheme in the Health and Family Welfare Department, Government of Odisha and the Petitioner has become time barred for Government service”.

4. Considering the submission made and without expressing any opinion on the merits of the case, the Petitioner is directed to make a fresh representation before the Opposite Party No.3 by enclosing all the relevant documents and citations in support of his claim, if any, within a period of three weeks hence.

5. It is observed that if such a representation is filed within the aforesaid period, the Opposite Party No.3 shall do well to dispose of the representation within a period of three months. The decision so taken by the Opposite Party No.3 be communicated to the Petitioner within that time.

6. It is further observed that if any such application is filed within the aforesaid time period, the said authority while taking a decision on the Petitioner's claim shall also take into consideration the judgment of this Court passed in W.P.(C) No.33301 of 2020 and batch if the same is applicable to the case of the Petitioner.

7. With the aforesaid observations and directions, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

Subrat