

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) NO.965 OF 2002

Biprabar Sahu

....

Petitioner

Mr.D.P.Dhal, Adv.

-versus-

State of Orissa & ors.

....

Opposite Party(s)

Mr.S.P.Panda, AGA

**CORAM:
JUSTICE BISWANATH RATH**

**Order
No.**

02.

**ORDER
21.2.2022**

1. Heard learned counsel for the Parties.
2. The Writ Petition involves the following prayer :-

“In view of the facts mentioned above in para-6, the applicant prays for following reliefs :-

 - (i) To direct the respondents to regularize the services of the applicant w.e.f. the date of joining from 24.4.00 within a particular period;
 - (ii) To direct the respondents for disbursing the arrear dues in the favour of the application within a stipulated period ;
 - (iii) And pass such other order/orders as may be deemed fit and proper for the interest of justice.”
3. Learned counsel for the Petitioner urged that involving a group of people similarly situated persons even involving the same Establishment and District, an Original Application No.24242(C)/2001 being filed on the File of the Odisha Administrative Tribunal, Cuttack Bench, this Application has come to be disposed of with a direction to regularize the persons involved

therein. It has also brought to the notice of this Court that being aggrieved by the order in O.A. No.2424(C)/2001, State Authority preferred a Writ Petition bearing W.P.(C) No.15996 of 2019, which again came to be disposed of by this Court in declining to entertain the Writ Petition. It is keeping in view the development through the Division of this Court in confirmation of the view of the Tribunal in O.W. No.2424(C)/2001, a claim is made before this court to at least give similar direction to the O.Ps. concerned.

4. Mr.Panda, learned Additional Government Advocate however did not oppose to the manner of disposal of the Original Application and also in disposal of the Writ Petition bearing W.P.(C) No.15996 of 2019.

5. This Court thus observes, in the event the Petitioner stands in similar footing to that of the Applicant involving O.A. No.2424(C)/2001, the benefit accrued to such similarly situated person through the outcome of the said Original Application should also be extended to the Petitioner. This Court, therefore, finding no possibility of different view and/or benefit involving similar set of people, directs the competent authority to consider the case of the Petitioner in granting the benefit that has been granted to the Petitioner involved in O.A. No.2424(C)/2001 by completing the entire exercise within a period of three months from the date of communication of this order.

6. With the above direction, the Writ Petition stands disposed of.

(Biswanath Rath)
Judge

M.K.Rout