

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.17732 of 2022

Kasi Pradhan

.... Petitioner

-versus-

State of Odisha & Ors.

.... Opposite Parties

**COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
21.07.2022**

Order No

- 01.** 1. This matter is taken up through Hybrid Mode.
2. Heard Mr.Panda learned counsel for the Petitioner and Mr. Babu learned counsel for the Opposite Parties.
3. The Petitioner has filed the present Writ Petition with the following prayer:-
- “(i) The Petitioner, therefore, prays that Your Lordships may graciously be pleased to admit the petition, call upon the opposite parties to show appropriate cause as to why this petition shall not be allowed and after hearing the counsel for the parties allow the petition;
- (ii) And / or issue a writ of appropriate nature directing the opposite parties to regularize the service of the petitioner with all consequential benefits”.
4. It is submitted that the Petitioner initially engaged as daily wages driver in the establishment of C.D.M.O., Balangir-Opposite Party No.3.
5. It is further submitted that while continuing as such, the Petitioner was appointed on contractual basis vide order dated 12.10.2011 under Annexure-2 and his service book

was also opened where his date of entry in Government service is reflected as 3.3.2012 under Annexure-4.

6. It is submitted that even though the Petitioner is continuing as a contractual driver for more than 10 years, but the opposite parties are not taking any step to absorb the petitioner in the regular establishment, basing on the resolution issued by the General Administration Department on 17.09.2013 and the order passed by this Court on 9.9.2021 in WPC No.19951 of 2020 (***Patitapaban Dutta Dash vrs. State of Odisha & Others***).

7. Since the Petitioner is admittedly continuing for more than 10(ten) years as contractual driver, his claim for regularization / absorption is squarely covered by the resolution issued by the G.A. Department under Annexure-5 and the decision of this Court passed in the aforementioned writ petition. In view of that, this Court directs the Opposite Parties to regularize the services of the petitioner and grant all consequential service and financial benefit in accordance with law as expeditiously as possible, preferably within a period of two months from the date of communication of this order.

8. The Writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Subrat