

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No. 716 of 2009

Niranjan Behera

.....

Petitioner

Mr. D.N. Rath, Advocate

-Versus -

State of Odisha & Others

....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

19.01.2022

Order No.

01

This matter is taken up through video conferencing mode.

2. Heard Mr. D.N. Rath, learned counsel for the petitioner.

3. The petitioner has filed this writ petition seeking direction to opposite parties to regularize his service.

4. Learned counsel for the petitioner, however referring to Annexure-3 contended that though the case of the petitioner along with some others were recommended to the Government by opposite party no.3, no action has yet been taken. In course of hearing, learned counsel for the petitioner contended that the petitioner may be permitted to file a fresh representation before opposite party no.1 highlighting the grievances and direction may be given to consider the same within a stipulated time, taking into consideration the ratio decided in the case of *Secretary State of Karnataka v. Umadevi (3)*, 2006(4) SCC 1, *State of Karnataka and others v. M.L.Keshari and others*, 2010(II) OLR (SC) 982, and *Amarkanti Rai v. State of Bihar and others*, (2015) 8 SCC 265 to which learned counsel for the State has no objection.

4. As agreed to by learned counsel for the parties, however, without expressing any opinion on the merits of the case, this writ petition stands disposed of with an observation/direction that in case the petitioner, with regard to the grievance made in this petition, files a fresh comprehensive representation before opposite party no.1, within a period of fifteen days hence, the said authority shall consider the same and pass a reasoned and speaking order as expeditiously as possible, taking into consideration the contentions raised in the writ petition as well as the ratio decided in the case of ***Secretary State of Karnataka v. Umadevi (3)***, 2006(4) SCC 1, ***State of Karnataka and others v. M.L.Keshari and others***, 2010(II) OLR (SC) 982, and ***Amarkanti Rai v. State of Bihar and others***, (2015) 8 SCC 265, preferably within a period of three months from the date of receipt of such representation along with the certified/ authenticated copy of this order.

6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed, vide Court's Notice No.4587 dated 25th March, 2020, as modified by Court's Notice No. 4798 dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

(Dr. B.R. Sarangi)
Judge

Arun