

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.24420 OF 2022

Gourahari Kunda

....

Petitioner

-versus-

**Orissa State Agriculture and
Marketing Board, BBSR &
Others**

....

Opp. Parties

COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
26.9.2022

Order No

1. 1. This matter is taken up through Hybrid Mode.
2. 2. Heard Ms. S. Mohanty, learned counsel for the petitioner.
3. 3. The petitioner has filed the present writ petition with the following prayer.

“This Hon’ble Court may graciously be pleased to show cause as to why the services of the petitioner shall not be regularize retrospectively from the date of recommendation of the appointment Sub-Committee i.e. from 20.7.2008 with all consequential service and financial benefits and if the opp. parties fail to show cause or show insufficient cause this Hon’ble Court may further be please to direct the opp. parties to regularize the services of the petitioner retrospectively from 20.7.2008 with all consequential service and financial benefit by issuing a writ in the nature of mandamus or any other appropriate writ.”

4. 4. It is submitted that earlier claiming regularization of his services, the petitioner had approached this Court in W.P.(C) No.9894 of 2022. This Court vide order dated 6.5.2022 disposed of the matter with a direction on the present opp. party no.3 to take a decision on Anneuxre-5. It is submitted that on receipt of the said order, Opp. Party

No.3 vide his letter dated 28.8.2020 under Annexure-6 referred the matter to Opp. Party No.1 for issuing necessary instruction in the matter. It is submitted that the petitioner is continuing as against a sanctioned post since 1.5.1999. Even though he is continuing in the said capacity for the last 23 years, but the opp. parties are not taking any steps in the matter.

5. Considering the submissions made by Ms. Mohanty, learned counsel for the petitioner, this Court while disposing the writ petition directs opp. party No.1 to take a decision on the claim forwarded by the Committee under Annexure-6 within a period of two months from the date of receipt of this order. It is observed that if the petitioner is continuing as against a sanctioned post, opp. party no.1 shall take into consideration that aspect while taking a decision in the matter.

6. The Writ Petition is accordingly disposed of.

(Biraja Prasanna Satapathy)
Judge

Sangita