

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.24784 of 2022

Agadhu Panigrahi

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Party

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

29.09.2022

Order No

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard learned counsel for the Petitioner and learned counsel appearing for the Opp. Parties.
3. The Petitioner has filed the present Writ Petition with the following prayer:-

“Under the above facts and circumstances it is humbly prayed that your Lordship's would graciously be pleased to admit and allow this petition, issue notice to OPs to file show cause as to why the service of the petitioner shall not be regularized from the date of his Joining Le, 15.09.1992 unlike the service of similarly situated employees working in different urban local Bodies has been regularized from the date of their joining and if the O.Ps fail to show cause or show insufficient cause, the Rule NISI Issued may be made absolute.

And, further may kindly direct the O.P. no 1 and 2 to regularize the service of the petitioner from the date of his joining, ie, 15.09.1992 uninterrupted completion of service from the date of appointment with all sorts of financial benefits, as per the averments made in the representation did 20.11.2021 keeping in view of the decision reported in Nakula Naik case reported in 2017 (1) OLR 293 & the case of Gajendra Pr. Behera vrs- State of Odisha & others reported in

2014 Suppl. (2) OLR and the decision reported in 71(1991) CLT 262 & so also in (2006) 4 SCC-1-Secy. Vrs-Uma Bharati Case for interest of justice.

And for this act of kindness the petitioner shall as in duly bound ever pray.”

4. Learned counsel for the Petitioner further submits that through highlighting his grievances, the Petitioner has filed an application at Annexure-7 to the Writ Petition before the O.P. No.2, but till date nothing has been done in the matter. In such background, learned counsel for the Petitioner prays that a direction be issued to Opposite Party No.2 to take a decision on the above noted Petition within a specific time period.

5. Considering the submissions made and without expressing any opinion on the merits of the case, this Court directs Opposite Party No.2 to take a decision on the above noted petition taking into account Annexure-2 within a period of three (3) months from the date of receipt of this order and communicate the result of such exercise to the Petitioner.

6. The Writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha