

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.25154 OF 2022
Rama Chandra Behera **Petitioner**

-versus-

State of Odisha & Others **Opp. Parties**

COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
28.9.2022

Order No

1. 1. This matter is taken up through Hybrid Mode.

2. Heard learned counsel for the parties.

3. The Petitioner has filed the present Writ Petition with the following prayer:-

Issue notice to opp. parties to file show cause as to why the service of the petitioner shall not be regularized from the date of his joining i.e 1.7.1992 or after completion of the 10years of service from the date of joining 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 opp. parties fail to show cause or show insufficient cause, the Rule NISI issue may be made absolute.

Direct the opp. party no.1 and 2 to regularize the service of the petitioner from the date of his joining i.e. 1.7.1992 uninterrupted completion of service from the date of appointment with all sorts of financial benefits, as per the averments made in the representation dtd.20.8.2021 keeping in view of the decision reported in Najula 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 and so also in (2006) 4 SCC-1-Secy. Vrs. Uma Bharati Case”

4. He further submits that through highlighting his grievances, the petitioner has filed a representation at Annexure-7 to the Writ Petition, but till date nothing has been done in the matter. In such background, he 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 in accordance with law within a period of three months from the date of production of certified copy 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

sangita

