

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.25349 of 2022

Hemanta Kumar Garada **Petitioner**

-versus-

State of Odisha & Ors. **Opposite Parties**

CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
27.09.2022

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

“In view of the above stated facts and circumstances, this Hon’ble Court may graciously be pleased to issue Rule NISI calling upon the Opp. Parties to show cause as to why necessary directions shall not be issued to regularize the service of the Petitioner in the post of Driver lying vacant under the Chief Medical and Public Health Officer, Nabarangpur, with all consequential service benefits,

And if the Opp. Parties fail to show cause or show insufficient cause this Hon’ble Court may make the said rule absolute by issuing a writ of mandamus directing the Opp. Parties to regularize the service of the Petitioner in the post of Driver lying vacant under the Chief District Medical and Public Health Officer, Nabarangpur, with all consequential service benefits,

AND further be pleased to issue any other appropriate writ/writs, rule/rules or order/orders, direction/directions as may be deemed fit and proper in the interest of justice,

*AND for which act of kindness, the Petitioner as
in duty bound shall ever pray.”*

4. However, taking into account the claim raised in the present Writ Petition, liberty is granted to the Petitioner to make a fresh representation before Opp. Party No.2 by enclosing all the relevant documents and citations in support of his claim, if any, within a period of three weeks hence.

5. It is observed that if such a representation is filed within the aforesaid period, Opp. Party No.2 shall do well to take a lawful decision on the same within a period of three months from the date of receipt of such representation. The order so passed by the Opp. Party No.2 be communicated to the petitioner.

6. With the aforesaid observation and direction, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

Sneha

