

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OA) No. 1587 of 2018

Satyaban Sahoo

.....

Petitioner

Mr. R.K. Bisoi, Advocate

Vs.

State of Orissa and others

.....

Opposite Parties

Mr. S. N. Nayak, ASC

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

16.09.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. R.K. Bisoi, learned counsel for the petitioner and Mr. S. N. Nayak, learned Additional Standing Counsel for the State.

3. The petitioner has filed this writ petition seeking to quash the order under Annexure-8, by which the claim of the petitioner for regularization has been rejected and further seeks for a direction to the opposite parties to regularize his service on completion of six years of service from the date of appointment with all service and financial benefits.

3 Mr. R.K. Bisoi, learned counsel for the petitioner contended that following due process of selection the petitioner was appointed on contractual basis. Though he has rendered service from 2007, till date, his service has not been regularized. In view of the contractual appointment rules, 2013, on completion of six years of service, the petitioner's service ought to have been automatically regularized. The same has not been done. Though he has approached the authority for regularization of service by way of filing

representation, the same was rejected vide Annexure-8. He further contended that the case of the petitioner is squarely covered by the ratio decided by this Court in the case of ***Rajendra Kumar Nayak v. Orissa Mining Corporation***, 2017 (II) ILR CUT-912.

4. Mr. S.N. Nayak, learned Additional Standing Counsel for the State contended that if the petitioner claims for regularization of service, after six years of completion of contractual service, then he has to approach the authority by filing a representation, so that the authority can consider the same and pass appropriate order.

5. Having heard learned counsel for the parties and after going through the records, this court while quashing the order under Annexure-8 disposes of the writ petition with the direction that in case the petitioner, with regard to the grievance made in this petition, files a fresh comprehensive representation before the authority concerned by annexing the aforementioned judgment, within fifteen days hence, the said authority shall consider the same and pass a reasoned and speaking order taking into consideration the ratio decided in the case of ***Rajendra Kumar Nayak*** (supra), as expeditiously as possible, preferably within a period of three months from the date of receipt of such representation along with the certified copy of this order.

(DR. B.R. SARANGI)
JUDGE

Arun