

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.26575 of 2022

Pravat Mohanty

....

Petitioner

-versus-

State of Odisha & another

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

21.10.2022

Order No

01.

1. This matter is taken up through hybrid 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:-

"This Hon'ble Court may graciously be pleased to issue notice to why this case shall not be allowed and the Opposite Parties shall not be directed to regularize the service of the petitioner as Casual Helpers or against any Class-IV post w.e.f. the date of initial appointment within a stipulated period.

And further prays for a direction from this Hon'ble Court to the Opposite Parties to grant all consequential and service benefits.

And further direct the Opposite Parties to regularize the service of the Petitioner on the light of the decision of the Hon'ble Apex Court in the case of Secretary, State of Karnataka Vrs. Uma Devi, reported in AIR 2006, Supreme Court, 1806 and decision of Hon'ble Apex Court in State of Karnataka and Others Vrs. M.L. Keshari and Others (AIR 2010 SC 2587 : 2010 AIR SCW 4577) and Amarkanti Ray Vrs. State of Bihar (Civil Appeal No.2835 of 2015).

And pass any other order/orders which lordship deem fit and proper for the interest of the petitioner and justice.”

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 her 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

Debasis