

IN THE HIGH COURT OF ORISSA AT CUTTACK
WPC (OAC) No.2873 of 2015

Sushanta Sahoo

....

Petitioner

-versus-

State of Odisha & Others

....

Opp. Parties

COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY

Order No

ORDER
22.9.2022

- 5.**
- 1.** This matter is taken up through Hybrid Mode.
 - 2.** Heard Mr. S.C. Dash, learned counsel for the petitioner and Mr. B. Panigrahi, learned A.S.C
 - 3.** The present writ petition has been filed with the following prayer.

To declare the action of the respondent concerned more specifically the Respondent No.1 under Annexure-6 i.e. Order No.15020 dt. 6.7.2015 is illegal and the same may be set aside directing the Respondents concerned not to disengage the applicant consequent upon the Annexur-6 and appropriate orders be passed to direct the Respondent concerned to regularize the service of the applicant as Laboratory Technician.

- 4.** It is submitted that similar order passed by the Government on 6.7.2015 under Annexure-8 to the Writ Petition was the subject matter before the learned Tribunal in O.A. Nos.2032 & 2033 of 2015. Learned Tribunal vide order dated 18.5.2017 while disposing the O.A quashed the said order with a direction on opp. party No.3 to take steps for regularization of the services of the applicants therein in terms of the Resolution on 13.5.2013 under Annexure-5.

Mr. Dash, learned counsel for the petitioner submitted that the said order passed by the learned Tribunal was also challenged by the State authority before this Court in W.P.(C) No.33071 of 2020 and this Court vide order dated 10.8.2021 was pleased to dismiss the said writ petition by confirming the order passed by the learned Tribunal.

5. In that view of the matter, the present writ petition is also allowed with quashing of the order dated 6.7.2015 under Annexure-8. While quashing the same, this Court directs Opp. parties, more particularly, opp. party No.3 to take further decision in terms of the order passed by the learned Tribunal on 18.5.2017. The said exercise shall be completed within a period of three months from the date of receipt of this order.

6. The Writ Petition is accordingly disposed of.

