

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C)(OA) No.152 of 2016

Diptimayee Mukharjee

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
15.07.2022

Order No

- 03.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. Rath, learned counsel for the Petitioner and Mr. Mishra, learned AGA appearing for the Opp. Parties.
3. The Petitioner has filed the present writ Petition with the following prayer:-

“i) This Hon’ble Tribunal may be pleased to direct the Respondents to take necessary steps to regularize (contractual then regular) the services of the applicant as has been done in the case of similarly situated Data Entry Operators working in the Higher Education Dept. and Directorate of animal Husbandry and Veterinary Services, Odisha and to make the appointment as permanent against the sanctioned post in the existing regular vacancies as already approved along with all service benefits and to publish the gradation list in view of the existing policy decision of the Govt. of Odisha as reflected in the State Gov resolution dated 17.09.2013 and dated 12.11.2013 and already adopted by various departments and to extent the same benefits to the applicants in making regularization of services along with all service benefits.

ii) Any other reliefs as your lordships may deem fit and proper;

iii) Accordingly the present application may be allowed as prayed.”

4. It is submitted by Mr. Rath, learned counsel for the Petitioner that in the meantime persons similarly situated were not only allowed to continue on contractual basis but also they have been regularized. Mr. Rath also files a copy of the said order passed by the Principal Secretary, Dept. of Higher Education on 28.06.2022 through a memo.

5. Considering the submission made by Mr. Rath, learned counsel for the Petitioner, this writ Petition is disposed of by giving liberty to the Petitioner to approach the O.P. No. 2 for consideration of his regularization within a period of three (3) weeks from today (15.07.2022).

6. It is observed that if such an application is made within the aforesaid time period, the said Opp. Party shall take a decision on the prayer of the Petitioner. While taking such a decision, O.P. No. 2 shall also take into consideration the order dtd.28.06.2022 passed in case of similarly situated persons.

7. The entire exercise shall be completed within a period of three (3) months from the date of this order. However, it is observed that this Court has not expressed any opinion on the merits of this case.

8. The writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha