

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 1014 of 2016

Kedarnath Rana

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
20.12.2022**

Order No

11. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard Mr. S.B. Mohanty, learned counsel for the Petitioner and Mr. D.K. Mohanty, learned Addl. Standing Counsel appearing for the Opp. Parties.

3. The present writ petition has been filed with the following prayer:-

“The applicant prays for the following reliefs.

- (i) *Admit the original application.*
- (ii) *Issue notice to the respondents.*
- (iii) *Pass appropriate order after hearing the parties and be pleased to direct the respondents to give regular appointment to the applicant keeping in view his long service rendered under the respondents authority for the interest of justice.*
- (iv) *And further be pleased to direct the respondents to issue appropriate order regularization service of the applicant.*
- (v) *Any other relief (s) be passed as deem fit and proper in the interest of justice.”*

4. It is contended that persons similarly situated and engaged subsequent to the Petitioner though have been regularized in the

meantime, but the Petitioner is continuing as a DLR after his reengagement vide order dtd.24.09.2015 under Anenxure-5. It is also contended that the Petitioner was initially engaged in the year 1996 and when he was illegally disengaged in the year 2001, he approached the Tribunal in O.A. No. 1457 of 2001. Pursuant to the order passed by the Tribunal on 20.11.2012 vide Annexure-3 the Petitioner was reengaged in his service vide order at Annexure-5. It is contended that since the Petitioner is continuing from 1996 and persons similarly situated have been regularized in the meantime, the case of the Petitioner needs consideration by the competent authority.

5. However, this Court after going through the materials available on record, finds that the Petitioner has not approached the authority seeking his regularization on the ground that has been taken in the writ petition. Therefore, this Court while disposing the writ petition, permits the Petitioner to approach O.P. No. 2 by making a detailed representation. It is observed that if such a representation is filed within a period of three (3) weeks from today, O.P. No. 2 shall take a lawful decision on the same within a further period of three (3) months. While taking such a decision, O.P. No. 2 shall also take into consideration the letter issued by the Directorate of Animal Husbandry and Veterinary Services, Odisha on 09.03.2021 as well as the benefits extended in favour of similarly situated DLRs. Till a decision is taken by O.P. No. 2, status-quo as on today be maintained.

6. The writ petition is disposed of with the aforesaid observation and direction.

(Biraja Prasanna Satapathy)
Judge

Sneha