

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.C. (OA) No.1017 of 2015

Smt. Sasmitarani Kumar

.... ***Petitioner***

Ms. R. Routray, Advocate

-versus-

***Secretary, Health & Family
Welfare Department, Odisha
Secretariat, Bhubaneswar &
Others***

.... ***Opposite Parties***

Mr. M.K. Khuntia, AGA

CORAM:
JUSTICE M.S. RAMAN

Order No.

ORDER
20.06.2022

- 01.
1. This matter is taken up through virtual/physical mode.
 2. The Original Application No. 1017 of 2015 was filed before the State Administrative Tribunal, Bhubaneswar. After its abolition, the same has been transferred to this Court which is renumbered as WPC (OA) No. 1017 of 2015.
 3. The Petitioner has approached this Court stating that though she was engaged as a Contractual Staff Nurse under the Chief District Medical Officer(CDMO), Bolangir, she was brought over to the regular establishment by virtue of order dated 13th September, 2007. It is submitted that though she was communicated that order in 2007, her case should have been considered for pensionary benefits under the Odisha Civil Service (Pension) Rules, 1992.
 4. Ms. R. Routray, learned counsel for the Petitioner further submitted that this Court has already passed an order in the case of similarly situated persons and cited the order

dated 26th August, 2021 passed in WPC (OA) No. 1010 of 2015(**Smitarani Barik Vs. Commissioner-cum-Secretary, Health and Family Welfare Department**).

5. Mr. M.K. Khuntia, Additional Government Advocate submitted that the applicability of the said decision of this Court has to be tested with that of the fact situation of the present Petitioner.

6. Having heard both the sides, it is deemed proper not to keep the matter pending any further as the matter relates to 2015. Interest of both the parties shall be best served if the Petitioner shall approach the Opposite Party No.1 and furnish the certified copy of this order along with comprehensive representation enclosing therewith the copy of the cited order of this Court as aforementioned within a period of two weeks hence, the said Opposite Party No.1 shall do well to hear the Petitioner and pass appropriate reasoned order.

7. Needless to say the decision taken shall be communicated to the Petitioner after disposal of the representation.

8. With the aforesaid observation and direction, the writ petition stands disposed of.

(M.S. Raman)
Judge

Laxmikant