

IN THE HIGH COURT OF ORISSA AT CUTTACK
WPC (OA) No.2871 of 2014

Chandra Suna

.... ***Petitioner***
Mr. T.K. Biswal, Advocate

-versus-

State of Odisha

.... ***Opposite Party***
Mr. G.R. Mohapatra, ASC

CORAM: JUSTICE S.K. PANIGRAHI

ORDER

08.04.2022

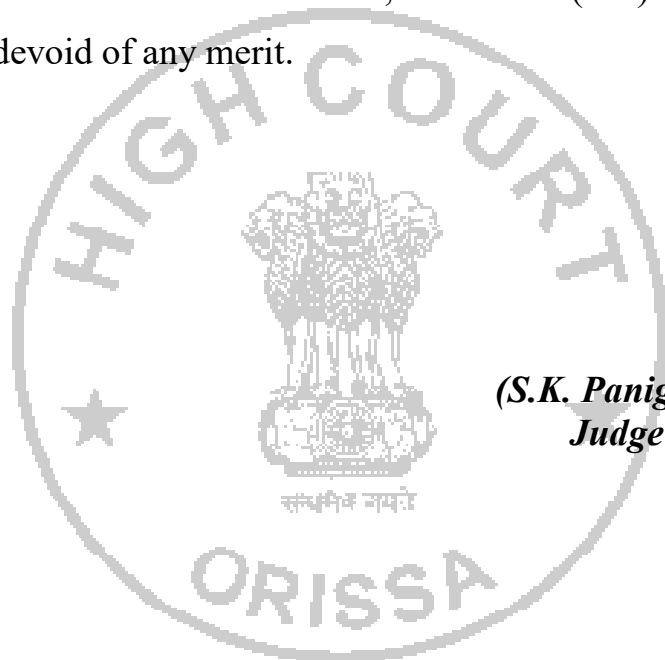
Order No.

01. 1. The matter is taken up through hybrid mode.
2. The present petitioner was serving as Sweeper at P.H.C.(N), Belgaon, Dist, Balangir under opposite party No.4. Although the petitioner has already served for about six years of service like any other contractual employees of the State, but his services has not been regularized in the regular establishment under the control of opposite party No.3. It also stated in the brief that the post held by the petitioner is a sanctioned post and all formality for selection has been followed. The non-consideration of the genuine grievances of the petitioner has gave rise to approach the State Administrative Tribunal, Odisha, Bhubaneswar, which has later been transferred to this Court.
3. In reply, the learned counsel for the State submits that since the petitioner's employment was purely schematic in nature as he was engaged under Rogi Kalyan Samiti and the Rogi Kalyan

Samiti was the authority to fix the wages and accordingly, funds available to the Rogi Kalyan Samiti. Hence, there is no question of employment employee relationship. Though the regularization of the services of contractual Pharmacists and staff nurses has been done as a policy decision of the Department of Health and Family Welfare, Orissa, however, the present petitioner is not covered in such policy.

5. In view of such submission, the WPC (OA) is dismissed being devoid of any merit.

pcd



(S.K. Panigrahi)
Judge