

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No. 3551 of 2016*Iswar Gochhayat*

.....

*Petitioners**Mr. G.R. Sethi, Advocate*

Vs.

State of Orissa and others

.....

*Opposite parties**State Counsel*

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

11.08.2022

Order No.

1

This matter is taken up through hybrid mode.

2. Heard Mr. G.R. Sethi, learned counsel for the petitioner and learned Additional Government Advocate for the State-opposite parties.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to regularize his services taking into account his continuous service of more than 10 years, as has been done in favour of the other similarly situated persons as per Government Circular and in terms of the principle decided in Secretary *State of Karnataka and Others v. Umadevi (3) and Others* (2006) 4 SCC 1 and in *State of Karnataka & others Vrs. M.L. Kesari & others* involving SLP(C) No.15774/2006.

4. Learned counsel for the petitioner submits that the petitioner was engaged on monthly remuneration basis. He has already rendered more than 10 years of service under the opposite parties and therefore, seeks for regularization of services in view of the judgment passed by the Hon'ble apex Court in *Secretary State of Karnataka and others v. Umadevi (3) and others* (2006) 4 SCC 1 and in *State of Karnataka & others Vrs. M.L. Kesari &*

others involving SLP(C) No.15774/2006.

5. Considering the contentions raised by the learned counsel for the petitioner and after going through the records, it appears that the petitioner has rendered service for more than 10 years on monthly remuneration basis. Therefore, the case of the petitioner is squarely covered by the ratio decided in the cases cited supra. In that view of the matter, this Court disposes of this Writ Petition directing the opposite parties to consider the case of the petitioner and regularize his services keeping in view the judgment in the case of *Secretary State of Karnataka and others v. Umadevi (3) and others* (2006) 4 SCC 1 and in *State of Karnataka & others Vrs. M.L. Kesari & others* involving SLP(C) No.15774/2006 and also the resolution of the G.A. Department dated 17.09.2013, within a period of four months from the date of communication of a copy of this order by the petitioner and grant consequential service benefits as due admissible to him.

6. It is further directed that in the event the petitioner is still continuing in his service, status quo as on today in respect of the services of the petitioner shall be maintained till a decision is taken in the matter by the opposite parties in terms of the above direction.

7. Issue urgent certified copy as per rules.