

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.C(OAC) No.2896 of 2015

Kamalakanta Mishra

....

Petitioner

-versus-

State of Odisha & others

....

Opposite Parties

COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY

Order No

ORDER
4.7.2022

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the parties.
3. The present Writ Petition has been filed with the following prayer:

“(i) to direct the opp. parties to allow the service, pensionary and promotion benefits to the applicant by counting his service from the date of his joining against the regular vacant post of MPHWS (M) i.e. w.e.f 1.1.2004 instead of his regularization i.e on 18.9.2013.

(iii) to calculate the applicant's seniority w.e.f 1.1.2004 towards his promotion for the post of MPHWS (M) in the state wise basis as he has well trained/experienced as both PMWS and MPHWS (M)

(iv) to reserve 50% of vacancies of PHS (M) in favour of the applicant along with 66 number of redeployed PMWS, who were merged with MPHWS (M) as per the direction of the Hon'ble Tribunal in OA No.-154(C) /2005, (Sri Achyutananda Mallick and 24 others-vs. State of Orissa & Others) & as per the letter No.11647 dated 24.4.2006 of Health and Family welfare Department, Govt. of Odisha.

(v) to consider and to dispose the representation of the applicant dated 23.3.2015 within the stipulated period which is in the matter of his service, pensionary, and promotional benefits by counting the service from the date of his joining against the regular vacant post of MPHW (M) i.e. w.e. f 1.1.2004 instead of his regularization i.e. on 18.9.2013.

4. Considering the nature of prayer made in the Writ Petition, the Petitioner is permitted to make a fresh representation before Opp. party No.2 within a period of three weeks days from today.

5. It is observed that if such a representation is filed by the Petitioner ventilating his grievances, the same shall be considered by Opp. party No.2 in accordance with law within a period of three months from the date of receipt of such representation. The order so passed by Opp. Party No.2 be communicated to the Petitioner also.

6. With the aforesaid observation and direction, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

sangita