

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAPC) No.31 of 2016

Smitashree Nayak

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

19.07.2022

Order No

01.

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

2. Heard learned counsel for the Petitioner and learned counsel for the Opposite Parties.

3. The Petitioner has filed the present Writ Petition for the following reliefs:

“ Under the above facts & circumstances it is humbly prayed that the Hon’ble Tribunal be graciously pleased to:-

- i) Hold and declare that the applicant has been deemed to have been regularly appointed w.e.f. 16.09.2004 as Staff Nurse in the scale of payment for regular Staff Nurse and entitled for all other allowances & benefits as is admissible to regular Staff Nurse on the basis of State Govt. decision under Annexure-I, 2 & 3;*
- ii) Direct the respondents to forthwith issue a formal order of regular appointment in favour of the applicant retrospectively w.e.f 16.09.2004 with all consequential service and monetary benefits:*
- iii) Direct the respondents to grant all service & monetary benefits including the arrear dues to the applicant as*

Staff Nurse join the basis of Annexure-1, 2 & 3 within a stipulated date;

And pass such Order(s)/direction(s) as this Hon'ble Court thinks fit and proper by giving complete relief to the applicant."

4. However, taking into account the claim raised in the present Writ Petition, liberty is granted to the Petitioner to make a fresh representation before Opp. Party No.3 by enclosing all the relevant documents and citations in support of her claim, if any, within a period of three weeks hence.

5. It is observed that if such a representation is filed within the aforesaid period, Opp. Party No.3 shall do well to take a lawful decision on the same within a period of three months from the date of receipt of such representation. The order so passed by the Opp. Party No.3 be communicated to the petitioner.

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

(Biraja Prasanna Satapathy)
Judge

Sneha