

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.C(OAC) No.3777 of 2015

Subash Chandra Jena

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

08.07.2022

Order No

- 1.** This matter is taken up through Hybrid Mode.
- 2.** Heard Mr. D. Routray, learned counsel for Petitioner and Mr. K.K.Das, learned counsel for the State-Opposite Parties.
- 3.** The Petitioner has filed the present Writ Petition with a prayer to quash the order dated 06.08.2015 under Annexure-14, wherein his claim for regularization has been rejected by the Government-Opposite Party No.1.
- 4.** It is submitted that the Petitioner was appointed on daily wages basis for a period of 44 days as Peon-cum-Packer vide order dated 16.5.1996 of the Drugs Controller, Orissa.
- 5.** It is submitted that while so continuing the Petitioner was allowed to continue on contract basis pending regularization with regular scale of pay vide order dated 01.11.1997 under Annexure-4. Subsequently, the services of the Petitioner when was not regularized, he approached the learned Tribunal in O.A. No.4165(C) of 2013. Learned Tribunal when directed the Opposite Party No.1 to take a decision on the claim of the

Petitioner, the impugned order at Annexure-14 was passed, wherein the claim has been rejected.

6. Mr. Routray, learned counsel for the Petitioner submitted that similar issue was before the learned Tribunal in a batch of original applications and learned Tribunal vide order dated 01.05.2018 while quashing similar order of rejection directed the Opposite Parties to regularize the services of the Petitioner therein.

7. It is also submitted that challenging the said order passed by the learned Tribunal, the State Opposite Party approached this Court in a bath of writ petitions and this Court vide order 22.08.2019 dismissed all those writ petitions by upholding the order passed by the learned Tribunal.

8. In view of the same, nothing remains to be decided in the present Writ Petition. Accordingly, the impugned order passed by the Opposite Party No.1 as under Annexure-14 is hereby quashed and the Opposite Parties are directed to take effective steps for regularization of the service of the Petitioner and consequential sanction of service and financial benefits within a period of three months from the date of receipt of this order.

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

(Biraja Prasanna Satapathy)
Judge

Subrat