

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAC) No.2492 of 2015

Kishore Kumar Rout

....

Petitioners

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

23.08.2022

Order No

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. P.R. Dash, learned counsel for the Petitioner and Mr. YSP Babu, learned AGA appearing for the State-Opp. Parties.
3. The Petitioner has filed the present writ Petition with the following prayer:-

“That considering the aforesaid facts and circumstances of the case and the averments made and the contention raised in favour of the claim of the applicant as stated above this Hon’ble Tribunal may kindly be graciously pleased to direct the opposite parties to consider the case of the applicant to regularize the services of the applicant, on preparing a gradation list of the Dept of School & Mass Education taking into account his earlier service under the Dept of Woman & Child Welfare and to allow him to draw the usual scale of pay and salary with consequential reliefs as per the decision of the Govt. under Annexure-3 & 4 and the decision which has been adopted by the Animal Husbandry, Veterinary Service dept and the Dept. of Higher Education as under Annexure-7 & 8 and also in considering the enclosures, the relevant letters and

correspondence of the Govt. issued relating to the absorption of the applicant who is entitled to be regularized.”

4. Though it is submitted that the claim made by the Petitioner is covered by a decision of this Court rendered in the case of ***Rashmirekha Das Vs. State of Odisha***, Mr. Babu, learned AGA on the other hand submitted that the said Judgment is under challenge before this Court in writ Appeal No. 127 of 2022. But it is fairly submitted that no interim order has been passed by this Court in the writ appeal.

5. In view of the pendency of the matter before this Court in W.A. No. 127 of 2022, this writ Petition is disposed of with the observation that the Petitioner be allowed to continue in his present service, if he is continuing as on date and the same shall be subject to the final decision in W.A. No. 127 of 2022.

6. The writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha