

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OA) No.1201 of 2016

Rudramani Behera & Ors.

....

Petitioners

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

14.09.2022

Order No

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

2. Heard Mr. M. Pratap, learned counsel for the Petitioners and Mr. Panigrahi, learned ASC appearing for the Opp. Parties.

3. This writ Petition has been filed with the following prayer:-

“(i) The Hon’ble Tribunal graciously be pleased to quash the impugned order No. 4483 dt.10.03.2016 of the PCCF, Odisha, BBSR under Annexure-6, regarding engagement of applicants through Service Providers,

AND

(ii) Further be pleased to direct the Respondents in general and Respondent No.4, 5 & 6 in particular to regularize the service of applicants with all service and financial benefits,

AND

(iii) Further be pleased to pass any other orders/directions as deem fit and proper in the facts and circumstances of the case,

AND

(iv) For this act of kindness, the applicants as in duty, bound shall ever pray.”

4. Even though no counter affidavit has been filed by the State, but Mr. YSP Babu, learned AGA submitted that basing on the impugned communication issued on 10.03.2016, no further action has been taken and the Petitioners are continuing as before.

5. In view of such submission made by Mr. YSP Babu, learned AGA, learned counsel for the petitioners submitted that since the Petitioners are continuing since their initial date of engagement, they are eligible and entitled for their absorption in the regular establishment in view of the communication issued under Annexure-3 to 5.

6. In view of such stand taken by learned counsel appearing for the Parties, this Court while disposing the writ Petition, directs the O.P. No. 4 to take effective steps and consider the claim of the Petitioners for their regularization in terms of the communication issued under Annexure-3 to 5 and complete the said exercise within a period of three months from the date of receipt of this order.

7. The writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha

