

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No.2203 of 2013

Prafulla Kumar Mohanty

....

Petitioner

Mr.G.K. Mohanty, Advocate

-versus-

State of Orissa and others

....

Opposite Parties

Mr. P.C.Das, ASC for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

09.03.2022

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 State.
3. This writ petition has been filed by the Petitioner with a direction to the Opposite Parties to regularize the service of the Petitioner as X-ray Technician/Jr. Radiographer, keeping in view the Resolution under Annexure-4. It is further prayed to quash the Advertisement under Annexure-5 relating to the post of Radiographer.
4. Learned counsel for the Petitioner submitted that identical issue has come before this Court and this Court in W.P.(C) No.33301 of 2020 (*Akhila Kumar Naik and others vs. State of Odisha and others*) along with batch of cases by a common judgment dated 11.12.2021 has decided the said issue.
5. In such view of the matter, learned counsel for the Petitioner seeks liberty to approach the Authority afresh by filing a fresh representation along with copy of the judgment dated 11.12.2021. In

that event, the Opposite Parties may be directed for expeditious disposal of the representation of the Petitioner.

6. Learned counsel for the State further submits that he has no objection if Petitioner files a fresh representation before the Authority, who may consider his case in terms of the judgment of this Court passed in W.P.(C) No.33301 of 2020 (***Akhila Kumar Naik and others vs. State of Odisha and others***) and may take necessary follow up action after hearing the parties.

7. Considering the submissions made and keeping in view the fact that the matter is pending since 2013, this Court feels it appropriate to dispose of the matter directing the Petitioner to file fresh representation to the Opposite Party No.1 along with all grounds available to him in law within a period of two weeks from today. In such event, the Opposite Party No.1 shall consider and dispose of the said representation of the Petitioner strictly in accordance with law and in terms of the judgment of this Court passed in W.P.(C) No.33301 of 2020 (***Akhila Kumar Naik and others vs. State of Odisha and others, disposed of on 11.12.2021***). Decision so taken on the representation of the Petitioner shall be communicated within a period of two weeks from such decision.

8. With the aforesaid direction, the writ petition stands disposed of.

9. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge