

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.172 of 20134

Swarup Kumar Mohanty

..... Petitioner
Mr.K.K.Swain, Advocate

-versus-

State of Odisha & others

..... Opposite Parties
Mr. B.P.Tripathy, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
03.11.2022

Order No.

- 05.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioners and learned Additional Government Advocate.
 3. The Petitioner has filed the present writ application with the following prayer:

“ Under the above circumstances, it is humbly prayed that the Original Application be allowed:
A n d

 - a) The impugned order dated 09.01.2013 passed by the State Government under Annexure-12 may be quashed/set aside and the applicant may be allowed to continue in the post of contractual Pharmacist with all service benefits;
 - b) Any other order/orders or direction/directions be issued so as to give complete relief to the applicant.”
 4. It is submitted by the learned counsel for the Petitioner that a

batch of matters were filed before this Court claiming similar relief out of WPC(OAC) No.171 of 2013 and other cases were disposed of by this Court vide judgment dated 29.09.2022. Learned counsel for the Petitioner submits that the present Petitioner also stands in a similar footing with Satya Narayan Panda, who had approached this Court in WPC(OAC) No.171 of 2013. His case has been disposed of by this Court vide judgment dated 27.09.2022. Therefore, he further submits that the Petitioner is squarely covered by the judgment delivered by this Court in the aforesaid matter.

5. Learned Additional Government Advocate submits that if that is so, let the Petitioner approach the competent authority, Opposite Party No.1 along with a certified copy of the case passed in **WPC(OAC) No.171 of 2013 (Satya Narayan Panda-v.-State of Odisha and others)** decided on 29.09.2022 and in such event the competent authority (Opposite Party No.1) shall do well to consider the case of the Petitioner and dispose of the same in the light of the judgment passed by this Court in the aforesaid case.

6. Having heard learned counsel for the parties and further considering the factual background of the present case as well as taking into consideration the judgment dated 29.09.2022 passed by this Court in WPC(OAC) No.171 of 2013 (**Satya Narayan Panda – v.-State of Odisha and others**). In the event the Petitioner approaches the Opposite Party No.1 as directed herein above, the Opposite Party No.1 shall do well to consider the case of the Petitioner in the light of the judgment in WPC(OAC) No.171 of 2013 (Satya Narayan Panda) (supra) and take a decision within eight weeks thereafter. Further, in the event it is found that the Petitioner is entitled to the relief claimed by him the same shall be extended within a period of four weeks thereafter.

7. With the aforesaid observation the writ application stands disposed of.
8. Issue urgent certified copy of this order as per Rules.

RKS

(A.K. Mohapatra)
Judge

