

IN THE HIGH COURT OF ORISSA AT CUTTACK
WPC(OAC)No.3713 of 2012

Rasmita Swain

.... ***Petitioner***

Mr.S.K.Dalai, Adv.

-versus-

State of Odisha & Ors.

.... ***Opposite Parties***

Mrs S.Pattanaik,AGA

CORAM:

MR. JUSTICE S.K. PANIGRAHI

ORDER

03.03.2022

Order No.

01. 1. This matter is taken up by hybrid mode.
2. None appears for the petitioner at the time of call.
3. The petitioner has approached before the Tribunal in the year 2012 challenging the order dated 1.12.2010 in regularizing the petitioner as Staff Nurse with effect from 1.12.2010 in view of the Govt. Circular dated 20.01.2009 wherein it has been directed the employees who has completed six years of uninterrupted service, she shall be regularized in the said post and as such in view of the joining of the petitioner at Niali CHC with effect from 09.04.2003 she has completed six years of service since 14.11.2009 but she has been regularized on 01.12.2010 which is contrary to the Govt. circular though the petitioner has served regular service for another two years despite her several representations the opposite parties are still sitting over the matter.
4. But after abolition of the Tribunal, the case has been transferred to this Court. However, the cause of action as old as

2012. By efflux of time there seems to be absence of any cause of action in the present writ petition. However, liberty may be granted to the petitioner to approach this Court afresh, if any cause of action survives.

5. In view of the above, the WPC(OAC) is disposed of granting liberty as aforesaid.

(S.K. Panigrahi)
Judge

LB

