

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) (OAC) No.1974 of 2012

Sujata Mohapatra

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

20.10.2022

Order No

2.

1. This matter is taken up through Hybrid Mode.

2. Heard learned counsel for Petitioner and learned Counsel for the State-Opposite Parties.

3. The present Writ Petition has been filed with the following prayer:-

“(i) under the above circumstances, it is humbly prayed that the Original Application be allowed.

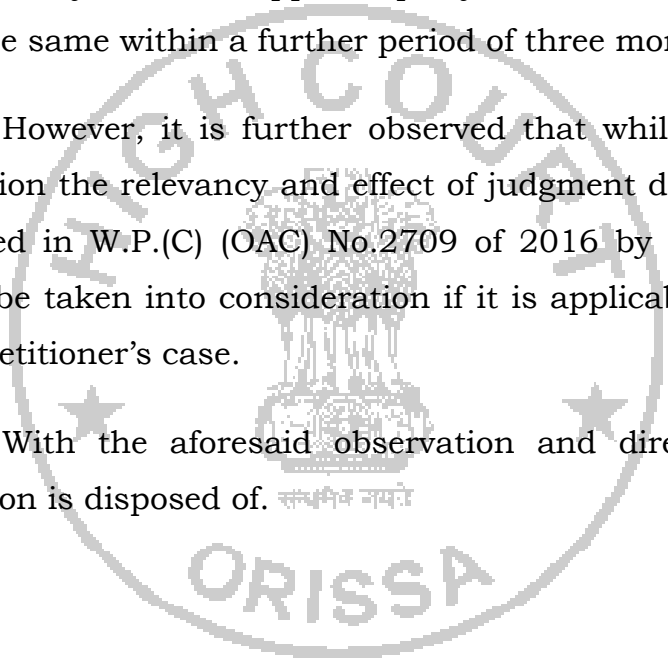
(ii) Necessary direction be made to the respondents to regularize the services of the applicant w.e.f. 28.2.2004 against a Trained Graduate post and all benefits as admissible to a regular Trained Graduate Teacher may be made available to the applicant with effect from the said date in terms of the resolution dated 28.2.2004 under Annexure-1 or in the alternative the applicant's services may be regularized w.e.f. 28.2.2010 as she has completed more than six years of service as a Contract Teacher in terms of the resolution dated 8.12.2008 under Annexure-5 and the resolution dated 25.7.2011 under Annexure-6 and the differential arrears may be calculated and be paid to her within a time to be stipulated by this Hon'ble Tribunal”.

4. It is submitted that the issue involved in the present writ petition is covered by a decision of this Court passed on 25.08.2022 in W.P.(C) (OAC) No.2709 of 2016.

5. In view of such submission made by the learned counsel for the Petitioner, this Court while disposing the Writ Petition permits the Petitioner to make an application claiming extension of the benefit as made in the Writ Petition before the Opposite Party No.3.

6. It is observed that if any such application is moved before the said Opposite Party No.3 within a period of three weeks from today, the said opposite party shall take a lawful decision on the same within a further period of three months.

7. However, it is further observed that while taking such a decision the relevancy and effect of judgment dated 25.08.2022 passed in W.P.(C) (OAC) No.2709 of 2016 by this Court shall also be taken into consideration if it is applicable to the fact of the Petitioner's case.

8. With the aforesaid observation and direction, the Writ Petition is disposed of. The seal of the Orissa High Court is visible in the background of the text. It is a circular emblem with the words 'HIGH COURT' at the top and 'ORISSA' at the bottom. In the center is the State Emblem of India, featuring the Lion Capital of Ashoka. Below the emblem, the motto 'सत्यमेव जयते' (Satyameva Jayate) is inscribed in Devanagari script.

(Biraja Prasanna Satapathy)
Judge

Subrat