

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OA) No.1499 of 2017

Dillip Kumar Bhuyan

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

05.09.2022

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 Opposite Parties.
3. The Petitioner has filed the present Writ Petition for the following reliefs:

“In view of the facts mentioned in paragraph 6 above, the applicant prays for following relief(s):-

- (i) *The Hon'ble Tribunal graciously be pleased to declare to abolish 190 vacant posts in regular establishment and to create 190 posts of Work Charged Establishment as bad in law in view of Finance Deptt. Resolution No.22764, dt. 15.05.1997.*

AND

- (ii) *Further be pleased to direct the Respondents in general and Respondent No.3, Superintending Engineer, R.W. Electrical Circle, Bhubaneswar in particular to absorb the applicant after completion of 24 years of DLR Jr.Stenographer in view of Finance Department Circular dt. 15.5.1997.*

AND

- (iii) *Further be pleased to direct the Respondent in General and Respondent No.3, Superintending Engineer, R. W. Electrical Circle, Bhubaneswar to regularise the service of applicant after completion of five years of W/Ch. Period from 11.2.2016 with all service and financial benefits,*

AND

- (iv) *Further be pleased to direct the Respondents to consider the case of the applicant for regularization along with the Respondent No.5(Smt.Kalpna Nayak) with all service and financial benefits.*

AND

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

AND

- (vi) *For this act of kindness, the applicant as in duty, bound shall ever pray."*

4. However, taking into account the claim raised in the present Writ Petition, liberty is granted to the Petitioner to make a fresh representation before Opp. Party No.2 by enclosing all the relevant documents and citations in support of his claim, if any, within a period of three (3) weeks hence.

5. It is observed that if such a representation is filed within the aforesaid period, Opp. Party No.2 shall do well to take a lawful decision on the same within a period of three (3) months from the date of receipt of such representation. The order so passed by the Opp. Party No.2 be communicated to the petitioner.

6. It is further observed that while considering the grievance of the Petitioner, the order passed by the learned Tribunal on 29.06.2017 in O.A. No. 238(C) of 2009 be taken into consideration, if the same is applicable to the claim of the Petitioner.

6. With the aforesaid observation and direction, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

Sneha

