

IN THE HIGH COURT OF ORISSA AT CUTTACK
WPC(OA) No.807 OF 2017

Bhabagrahi Patri

....

Petitioner(s)

Mr.K.C.Sahu,
Advocate

-versus-

State of Odisha and others

....

Opposite Party(s)

Mr. S.Mishra,
ASC

CORAM:
JUSTICE BISWANATH RATH

ORDER

06.09.2022

Order No.

02.

1. Heard learned counsel for the Parties.

2. The Writ Petition involves the following relief(s):-

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

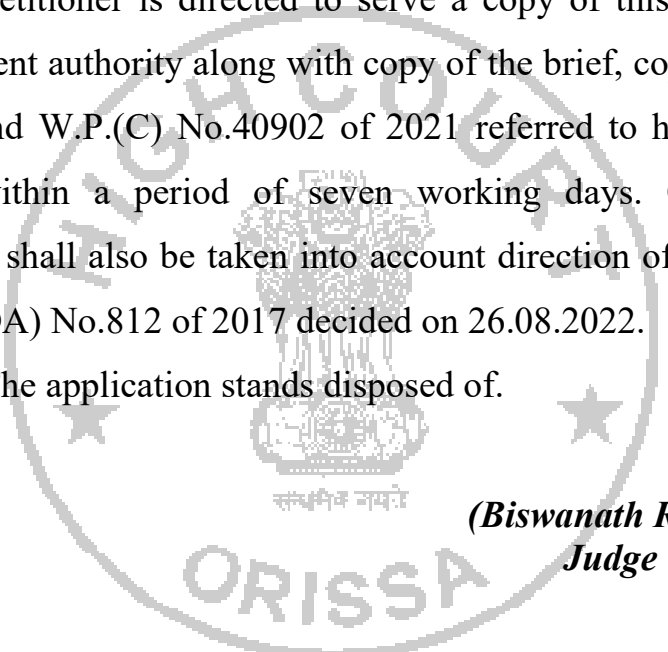
- (i) The Hon’ble Tribunal be pleased to admit & allow the Original Application,
- (ii) The Hon’ble Tribunal be pleased direct the respondents to regularize the services of the applicant as Homeopathic Medical Officer antedating from the date of his initial appointment against the existing vacancy if necessary by modifying the order of regularization under Annexure-8 with all consequential service & financial benefits.
- (iii) The Hon’ble Tribunal may be pleased to pass any order(s) direction(s) as deems fit and proper for the interest of justice.”

3. In course of hearing, it has been brought to the notice of this Court that similar matter having been decided by the Tribunal in disposal of O.A. Nos.2634 and 2636 of 2015 disposed of on 24.07.2014 same is already confirmed by the High Court in

W.P.(C) No.40902 of 2021. It appears there is coverage of the case of the Petitioner. This Court prima facie satisfying with the claim of the Petitioner, remits the matter back to the competent authority for taking a decision on the request of the Petitioner, taking into account on applicability of the judgment through O.A. Nos.2634 and 2636 of 2015. In the event the Petitioner will be entitled to the benefits on application of the judgment referred to hereinabove benefits shall be provided to the Petitioner by completing the entire exercise within a period of two months.

4. Petitioner is directed to serve a copy of this order on the competent authority along with copy of the brief, copy of order in O.A. and W.P.(C) No.40902 of 2021 referred to hereinabove at least within a period of seven working days. Consideration process shall also be taken into account direction of this Court in WPC(OA) No.812 of 2017 decided on 26.08.2022.

5. The application stands disposed of.

The seal of the Orissa High Court is a circular emblem. It features the State Emblem of India at the top center, with the motto 'Satyameva Jayate' in Devanagari script below it. The word 'ORISSA' is written in large, bold, capital letters across the bottom. Two five-pointed stars are positioned on either side of the central emblem. The words 'HIGH COURT' are written in a semi-circle at the top of the seal.
(Biswanath Rath)
Judge

Swarna