

IN THE HIGH COURT OF ORISSA AT CUTTACK

CONTC (CPC) No.316 of 2012

Nrusingh Charan Patra

....

Petitioner

Mr. P.K. Rath (1), S. Barik,
S. Sahoo, Advocates

-versus-

Shri Tara Dutta and another

....

Opposite Parties

Mr. S.K. Samal, AGA

CORAM: JUSTICE S.K. PANIGRAHI

ORDER

20.04.2022

Order No.

03. 1. The matter is taken up through hybrid mode.
2. Heard.
3. The petitioner has filed this contempt petition under Section 12 of the Contempt of Courts Act for violation of order dated 25.01.2012 passed by the Orissa Administrative, Cuttack Bench, Cuttack in O.A. No.4834 (C) of 2011.
4. Learned counsel for the State submits that as per the order dated 25.01.2012 passed in the said O.A., the learned Tribunal has directed the respondent Nos. 1 and 2 to consider and dispose of the representation of the petitioner under Annexure-7 keeping in view the direction of the Hon'ble Apex Court and the policy decision taken by the State Government within a period of three months from the date of receipt of that order.
5. The Government in Revenue Department being the respondent No.1 in their letter No.NGE(C)-II-03/13-13549/R & D.M. dtd. 12.05.2014 have created 109 temporary posts on the basis of

FDOM No.18117 dated 14.07.1970 in the offices where the concerned J.C. employees last worked. This has been concurred by the Finance Department in their UOR No.1617/ACSF dtd.18.03.2014.

6. Pursuant to the Board's memo No.1820/CH dated 09.06.2014, the petitioner-Nrusingh Charan Patra, Ex-job contract employee is hereby regularized in the post of Amin in Consolidation Office, Tihidi w.e.f. 30.06.1999 retrospectively i.e. date of retirement subject to the following conditions.

- (i) Each post created only for one month of the date of retirement of the employee.
- (ii) Since the Job contract employee has already retired there shall not be any payment of regular salary on such regularization.
- (iii) After regularization on the date of retirement, the post shall stand abolished under Section 40 of O.C.S. (Pension) Rules, 1992

7. In such view of the matter, the prayer made in the present petition stands complied with and accordingly, the contempt is dropped.

(S.K. Panigrahi)
Judge

pcd