

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**WPC (OAC) No. 344 of 2017**

**Hadibandhu Ranjit**

....

**Petitioner**

*-versus-*

**State of Odisha & Others**

....

**Opposite Parties**

**COROM:**

**JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER**

**25.08.2022**

**Order No**

1. 1. This matter is taken up through Hybrid Mode.
2. Heard Mr. L.K. Mohanty, learned counsel for the Petitioner and Mr. R.N. Mishra, learned A.G.A.
3. The Petitioner has filed the present writ petition challenging the inaction of the opp. Party in not regularizing his services as a Laboratory Attendant from the date persons similarly situated were so regularized vide order dated 6.8.2015 under Annexure-9. It is submitted that vide the said order person similarly situated as like the petitioner were regularized w.e.f 17.9.2013.
4. Mr. Mohanty, learned counsel for the petitioner brought to the notice of this Court the communication under Annexure-1 wherein the person placed at serial no.7 of the order dated 6.8.2015 was also engaged along with the present petitioner on daily wage basis. Mr. Mohanty also submitted that vide Annexure-3, all the persons whose names were reflected in Annexure-1

were allowed remuneration on consolidated/contractual basis.

**5.** Since persons similarly situated with the petitioner has been regularized w.e.f 17.9.2013 vide order dated 6.8.2015 under Annexure-9, the action of the opposite parties in not extending the similar benefit in favour of the petitioner as per considered view of this Court amounts to discrimination. The petitioner in view of his continuance in a contractual post is also otherwise eligible for his regularization in terms of the G.A Deptt. resolution dated 17.9.2013 and the said resolution has been taken into consideration while extending similar benefit vide order under Annexure-9. Therefore, this Court directs opp. Party no.5 to extend the benefit as has been allowed in favour of similarly situated persons vide order under Annexure-9. The entire exercise shall be completed within a period of three months from the date of receipt of this order.

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

**(Biraja Prasanna Satapathy)**  
**Judge**

Sangita