

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.807 of 2017

Sushree Sangita Samantray

....

Petitioner(s)

Mr. S.B. Jena,
Advocate

-versus-

State of Odisha

....

Opposite Party(s)

Mr. S. Mishra,
Addl. Standing Counsel

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
25.08.2022**

Order No.

01. 1. On commencement of hearing of the matter Mr. Jena, learned counsel for the Petitioner volunteers to drop the prayer in the application so far it relates to challenge to the advertisement at Annexure-5 and confines the application to the claim of regularization of the Petitioners.
2. Taking this Court to the factual aspect and the development through Annexure-3 Mr. Jena, learned counsel for the Petitioners attempted to establish that the Petitioners have not only completed their services as Anganwadi Workers for considerable time but they are also continuing as Anganwadi Supervisors. Through Annexure-3 it has been decided to bring the eligible Anganwadi workers to the post of Anganwadi Supervisor. Reading through the paragraph no.3 in the Annexure-3 Mr. Jena, learned counsel for the Petitioners

contended that these Petitioners have right to be regularized taking into account their whole length of service in between.

3. Mr. Mishra, learned State Counsel restricting his submission particularly involving the claim of regularization; attempted to submit that there may not be any difficulty in considering the regularization aspect of the Petitioners, but there is difficulty in considering the case of the Petitioner Nos.6 & 7.

4. Considering the rival contentions of the parties and without entering into any such controversies at this stage, while leaving this aspect open for consideration of the competent authority, as this Court finds, a right is already accrued in favour of the deserving Petitioners through Annexure-3, this Court directs the Commissioner-cum-Secretary, Government of Odisha in Women & Child Development Department to consider the claim of the deserving Petitioners for regularization of their services keeping in view the guarantee at Annexure-3 and pass a lawful order in the matter at least within a period of two months from the date of communication of a certified copy of this order by the Petitioners.

5. Petitioners are directed to serve a certified copy of this order along with a copy of the writ petition before the Commissioner-cum-Secretary, Women & Child Development Department, Government of Odisha within a period of seven days hence.

6. The WPC(OAC) stands disposed of with the above order.

(Biswanath Rath)
Judge