

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No. 4575 of 2011

Harihar Jena

.....

Petitioner

Mr. T.K. Nayak, Adv.

Vs.

State of Odisha and others

.....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

19.10.2022

Order No.

03

This matter is taken up through hybrid mode.

2. Heard Mr. T.K. Nayak, learned counsel for the petitioner and learned counsel appearing for the State-opposite parties.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to calculate the entire period of job contract service as qualifying service in terms of Finance Department Notification dated 01.09.2001, as well as the ratio decided in the case of Rajkishore Swain v. State of Odisha and others (O.A. No. 1977 (C) of 2009 disposed of on 15.05.2015) towards pension and pensionary benefits, within a stipulated time.

4. Learned counsel for the petitioner contended that the case of the petitioner is covered by the order of this Court in the case of *Niranjan Behera v. State of Odisha and others*, (WPC (OAC) No. 4145 of 2010 disposed of on 07.02.2022) and order dated 25.02.2003 passed by the Tribunal in O.A. No. 1071(C) of 2003. Therefore, this writ petition may be disposed of in the light of the aforesaid orders.

5. In view of the above submission, as agreed to by learned counsel for the parties, this writ petition stands disposed of directing the opposite parties to extend the benefit in terms of the order dated 07.02.2022 passed by this Court in the case of *Niranjan Behera v. State of Odisha and others*, (WPC (OAC) No. 4145 of 2010) and order dated 25.02.2003 passed by the Tribunal in O.A. No. 1071(C) of 2003, as has been extended in favour of similarly situated persons, as

expeditiously as possible, preferably within a period of three months from the date of communication of the certified copy of this order.

Issue urgent certified copy as per Rules.

(DR. B.R. SARANGI)
JUDGE

Ashok

