

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No.1486 OF 2019

Manjuram Behera

.....

Petitioner

Ms. B.K. Pattnaik, Advocate

Vs.

State of Odisha & Ors.

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

11.10.2022

Order No.

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This matter is taken up by hybrid mode.

2. Heard Ms. B.K. Pattnaik, learned counsel for the petitioner and learned Government Advocate for the State-opposite parties.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to regularize his services taking into account his continuous service of more than 8 years, as has been done in favour of the other similarly situated persons as per Government Circular and in terms of the principle decided in *Secretary State of Karnataka and Others v. Umadevi (3) and Others* (2006) 4 SCC 1 and in *State of Karnataka & others Vrs. M.L. Kesari & others* involving SLP(C) No.15774/2006.

4. Learned counsel for the petitioner submits that the petitioner was engaged on DLR basis. He has already rendered more than 8 years of service under the opposite parties and therefore, seeks for regularization of services in view of the judgment passed by the Hon'ble apex Court in *Secretary State of Karnataka and others v. Umadevi (3) and others* (2006) 4 SCC 1 and in *State of Karnataka & others Vrs. M.L. Kesari & others* involving SLP(C) No.15774/2006.

5. Considering the contentions raised by the learned counsel for the petitioner and after going through the records, it appears that the petitioner has rendered service for more than 8 years on monthly remuneration basis. Therefore, the case of the petitioner is squarely

covered by the ratio decided in the cases cited supra. In that view of the matter, this Court disposes of this Writ Petition directing the opposite parties to consider the case of the petitioner and regularize his services keeping in view the judgment in the case of *Secretary State of Karnataka and others v. Umadevi (3) and others* (2006) 4 SCC 1 and in *State of Karnataka & others Vrs. M.L. Kesari & others* involving SLP(C) No.15774/2006 and also the resolution of the G.A. Department dated 17.09.2013, within a period of four months from the date of communication of a copy of this order by the petitioner and grant consequential service benefits as due admissible to him.

6. Issue urgent certified copy as per rules.

Alok

(DR. B.R. SARANGI)
JUDGE

