

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 40179 of 2021

*Niranjan Panigrahi and
others*

.....

Petitioners

Mr. K. Swain, Advocate

Vs.

State of Odisha and others

.....

Opposite parties
State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

18.01.2022

Order No.

01

This matter is taken up by hybrid mode.

2. The petitioners have filed this writ petition seeking direction to the opposite parties to count their past service rendered under non-formal education scheme, EGS and AIE scheme prior to 01.01.2005 for the purpose of bringing them under the coverage of Odisha Civil Service (Pension) Rules, 1992 and they may also be availed the benefit of G.P.F. under the G.P.F. (O) Rules, 1938 as their initial engagement was prior to the cutoff date 01.01.2005 although their services were regularized after 01.01.2005.

3. In course of hearing, learned counsel for the petitioners states that the petitioners have already made representation before opposite party no.1 vide Annexure-6, and the same may be directed to be disposed of within a stipulated time taking into consideration the judgment of the apex Court in the cases of Paremeswar Nanda v. State of Jharkhanda, Civil Appeal Nos.505-531 of 2020 arising out

of SLP (Civil) Nos.27922-27948 of 2017, disposed of on 07.02.2020 and State of Himachal Pradesh v. Joga Singh, SLP (Civil) No.183 of 2016 dismissed on 04.01.2016 within a stipulated time.

4. Considering the facts and circumstances of this case, but, however, without expressing any opinion on the merits of the case, this writ petition stands disposed of directing opposite party no.1 to consider the representation filed by the petitioners under Annexure-6 taking into consideration the judgment of the apex Court in the cases of Paremeswar Nanda v. State of Jharkhanda, Civil Appeal Nos.505-531 of 2020 arising out of SLP (Civil) Nos.27922-27948 of 2017, disposed of on 07.02.2020 and State of Himachal Pradesh v. Joga Singh, SLP (Civil) No.183 of 2016 dismissed on 04.01.2016, and pass a reasoned and speaking order as expeditiously as possible, preferably within a period of three months from the date of receipt of the certified copy of this order.

As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed, vide Court's Notice No.4587 dated 25th March, 2020, as modified by Court's notice no. 4798 dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.