

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.34663 of 2022

Anil Kumar Moharana & another ***Petitioners***
Mr.Dayanidhi Mishra, Advocate

-versus-

State of Odisha and others ***Opposite Parties***
Mr.B.P.Tripathy, AGA

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

19.12.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned Additional Government Advocate.
3. The Petitioner has filed the present writ application with the following prayer:

“ It is therefore prayed that this Hon’ble Court may graciously be pleased to admit the writ application, issue Rule Nisi in the nature of writ of certiorari/mandamus calling upon the Opp.Parties to show cause as to why the contractual services of the Petitioners shall not be regularized in reference to letter dated 09.12.2020 under Annexure-6 keeping in view of their six years completion of service and further as to why the Opp.Parties shall not be commanded to pass an order by granting antedated regularization to the Petitioners along with seniority and other service and financial benefits as per law within specified time period.

And further be pleased to pass any other order(s) as deemed fit and circumstances of the case.

4. In course of hearing of the writ application, learned counsel for the Petitioners submits that the Petitioner ventilating their grievance

have submitted representation under Annexure-7. It is also submitted by the learned counsel for the Petitioners that the said representation is pending as of now. It is also submitted by the learned counsel for the Petitioners that a direction be issued to the Opposite Party No.1 to consider the representation of the Petitioners under Annexure-7 within a stipulated period of time.

5. Learned Additional Government Advocate submits that he has no objection if the representation of the Petitioner is considered by the Opposite Party No.1, which is stated to be pending, in accordance with law within a stipulated period of time.

6. Considering the limited nature of grievance of the Petitioner, the writ application is disposed of at the stage of admission with a direction to the Opposite Party no.1 to consider the representation of the Petitioners under Annexure-7 in accordance with law within a period of two months from the date of production of certified copy of this order. The Opposite Party No.1 shall do well to dispose of the representation of the Petitioners under Annexure-7 by passing a speaking and reasoned order. It is directed that till a decision is taken on the representation of the Petitioners, the Petitioners shall not be disengaged.

7. With the aforesaid observation, the writ application stands disposed of.

8. Issue urgent certified copy of this order as per Rules.

RKS

(A.K. Mohapatra)
Judge