

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No. 41211 of 2021

*Bikash Raman Pratapray
and another*

.....

Petitioners

Mr. B.P. Tripathy, Advocate

Vs.

State of Odisha and others

.....

Opposite parties

Mr. S. Nayak, ASC

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

03.01.2022

Order No.

01

This matter is taken up by hybrid mode.

2. Heard Mr. B.P. Tripathy, learned counsel for the petitioners and Mr. S. Nayak, learned Addl. Standing Counsel for the State-opposite parties.

3. The petitioners have filed this application seeking direction to the opposite parties to regularize their services taking into account their 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 petitioners submits that the petitioners were engaged on monthly remuneration basis. They have already rendered more than 8 years of service under the opposite parties and, therefore, seek 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 petitioners and after going through the records, it appears that the petitioners have rendered service for more than 8 years on monthly remuneration basis. Therefore, the case of the petitioners is squarely covered by the ratio decided in the cases cited supra.

6. In that view of the matter, this Court disposes of this Writ Petition directing the opposite parties to consider the case of the petitioners for regularization of service 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 production/communication of certified copy of this order by the petitioners and grant all consequential service benefits as due admissible to them.

Issue urgent certified copy as per rules.

Ashok

(DR. B.R. SARANGI)
JUDGE