

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.41904 OF 2021

Ananta Charan Prusty & Ors. *Petitioners*

Mr. K. Swain, Advocate

Vs.

State of Odisha & Ors. *Opposite parties*

*Standing Counsel for S&ME
Deptt.*

CORAM:

DR. JUSTICE B.R. SARANGI

**ORDER
03.02.2022**

Order No.

01

This matter is taken up by video conferencing mode.

2. Heard learned counsel for the petitioners.
3. The petitioners have filed this writ petition seeking direction to the opposite parties to count their past services rendered under Non Formal Education Scheme, EGS & AIE Scheme prior to 01.01.2005 for the purpose of bringing them under the coverage of Odisha civil Service (Pension) Rules, 1992 and also regularize their services and they may be given the benefit of GPF in accordance with G.P.F. (O) Rules, 1938 keeping in view the ratio decided by the apex Court in *Parmeshwar Nanda v. State of Jharkhanda* (Civil Appeal Nos.505-531 of 2020 arising out of S.L.P. (Civil) Nos.27922-27948 of 2017 disposed of on 07.02.2020) and *State of Himachal Pradesh v. Joga Singh* (SLP (C) No.183 of 2016 dismissed on 04.01.2016 and Review Petition No.274 of 2017 dismissed on 02.03.2017) within a stipulated period.
4. In course of hearing, learned counsel for the petitioners

stated that highlighting the grievances, the petitioners have made representation to opposite party no.1 vide Annexure-6 and the same may be directed to be considered keeping in view the ratio decided by the apex Court in ***Parmeshwar Nanda and Joga Singh*** (supra) within a stipulated time, to which learned Standing Counsel for School and Mass Education Department has no objection.

5. As agreed to by learned counsel for the parties, this Court, without expressing any opinion on the merits of the case, disposes of the writ petition directing opposite party no.1 to consider the representation filed by the petitioners vide Annexure-6 and pass appropriate order in accordance with law keeping in view the ratio decided by the apex Court in ***Parmeshwar Nanda and Joga Singh*** (supra) within a period of three months from the date of production of certified copy of this order.

6. 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.

Arun

DR. B.R. SARANGI, J.