**0IN THE HIGH COURT OF ORISSA AT CUTTACK**
**W.P.(C) No.6370 of 2022**

***Dr. Debadutta Panigrahi & Ors.*** …. ***Petitioners***
*Represented By Adv.*
*Mr. Subrat Kumar Nanda*

*-versus-*

***State of Odisha & Ors.*** …. ***Opposite Parties***
*Represented By ASC*
*Mr. Sonak Mishra*
*Mr. B. P. Tripathy, Adv.*
*Ms. Sumitra Mohanty, Adv.*

**CORAM:**
**DR. JUSTICE S.K. PANIGRAHI**

**ORDER**

**Order No.** **03.12.2024**

10. **1**. This matter is taken up through hybrid arrangement.

**2.** Heard learned counsels for the parties.

**3.** The present Writ Petition has been filed by the Petitioners with the following prayer:

> *"It is therefore, prayed that let this Hon'ble Court may graciously be pleased to issue Rule NISI calling upon the Opp. Parties to file show cause as to why the services of the petitioners shall not be regularized and*

*they shall not pay their salary at par with the Allopathic & Dental Medical Officers/ Doctors as well as Odisha Govt. Ayurvedic Homeopathic Govt. Dispensaries/Hospital Posted Ayurvedic/Homeopathic Medical Officers from the date of their engagement, within a stipulated time, failing which or filing insufficient cause the said Rule be made absolute.*

*And further be pleased to issue a writ in nature of mandamus by directing the Opp. Parties to regularize the services of the petitioner and to pay and release their salary at par with the Allopathic & Dental Medical Officers/Doctors well as Odisha Govt. Ayurvedic Homeopathic Govt Dispensaries/ Hospital Posted Ayurvedic Homsupathic Medical Officers from the date of their engagement, within a stipulated time for the interest of justice.*

*And further be pleased to issue any other writ/writs, order/orders as this Hon'ble Court may deem fit and proper in the eye of law,*

*And for which act of kindness the petitioners as in duty bound shall ever pray"*

**4**. Learned counsel for the Petitioners submits that this Court has earlier decided the similar issue in the judgment dated 06.09.2024 passed in W.P.(C) No.24685 of 2020 (***Dr. Biswajit Hota & Ors.–vrs.- State of Orissa & Ors.)***. Hence, he submits that this Writ Petition may be disposed of in the light of the judgment passed in the

case of ***Dr. Biswajit Hota & Ors.–vrs.- State of Orissa & Ors.*** (supra).

**5**. Learned counsel for the Opposite Parties submit that he has no objection, if this matter is disposed of in the light of the judgment passed in the case of ***Dr.Biswajit Hota & Ors.–vrs.- State of Orissa & Ors.*** (supra).

**6**. On perusal of the records and the judgment passed in the case of ***Dr.Biswajit Hota & Ors.–vrs.- State of Orissa & Ors.*** (supra), it appears that similar issue has already been decided by this Court in the said judgment which was disposed of on 06.09.2024. The ordering portion of the said judgment is as follows.

> *"XXX*
>
> ***31.*** *In light of the facts and circumstances of the present case, this Court holds the view that AYUSH practitioners who have served the state for the past two decades present a compelling case for the regularization of their employment.*
>
> ***32.*** *Accordingly, the Opposite Parties are directed to formulate a policy for the regularization of such practitioners who have worked in conjunction with MBBS doctors and paramedics in remote areas, performing similar duties, if not identical.*
>
> ***33.*** *Such a move would serve to enhance workforce stability in remote areas, where healthcare professionals are in short supply, and ensure that all practitioners, regardless of their training*

*background, are recognized for their contributions to community health*

**34.** *The authorities are encouraged to engage in consultations with these professionals to better understand their needs and challenges. A collaborative approach in formulating the policy will ensure that it is both practical and responsive to the realities faced by AYUSH doctors in their respective service areas. This dialogue will facilitate the creation of a policy that not only formalizes their employment but also supports their professional development and integrates their services into the state's healthcare system more effectively.*

**35.** *In light of the foregoing, this Writ Petition is allowed and disposed of in terms of the aforesaid observations."*

**7.** Accordingly, the Writ Petition is disposed of being allowed in terms of the observations made in the case of ***Dr.Biswajit Hota & Ors.–vrs.- State of Orissa & Ors.*** (supra).

***(Dr. S.K. Panigrahi)***
***Judge***

*Sumitra*

Signature Not Verified
Digitally Signed
Signed by: SUMITRA NAYAK
Designation: Junior Stenographer
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 12-Dec-2024 10:36:36