IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.35420 of 2020

Chinmayee Patnaik and others .... ***Petitioners***

Mr. K.C. Sahu, Advocate

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For O.P. Nos.1 & 4)
Mr. K.K. Swain, Advocate
(For intervener)

W.P.(C) No.8901 of 2020

Sunemia Mahananda .... ***Petitioner***

Mr. B.K. Sharma, Sr. Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For O.P. No.2)

W.P.(C) No.34459 of 2020

Rasmita Kumari Swain .... ***Petitioner***

Mr. N. Panda, Adv.

-versus-

The State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For O.P. No.3)

W.P.(C) No.35697 of 2020

Margarita Pradhan and another .... ***Petitioners***

Mr. K.C. Sahu, Advocate

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For O.P. No.4)

W.P.(C) No.37123 of 2020

Gitanjali Mahanta and another .... ***Petitioners***

Mr. K.C. Sahu, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For Intervener)

W.P.(C) No.2263 of 2021

Itishree Pradhan .... ***Petitioner***

Mr. G. Sinha, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For O.P. No.4)

W.P.(C) No.2265 of 2021

Minakshee Barge .... ***Petitioner***

Mr. G. Sinha, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For Intervener)

W.P.(C) No.2267 of 2021

Debaki Padhan .... ***Petitioner***

Mr. G. Sinha, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. S. Rout, Adv.
(For Intervener)
Mr. B.P. Tripathy, Sr. Advocate
(For O.P. No.4)

W.P.(C) No.2269 of 2021

Subhashree Padhan .... ***Petitioner***

Mr. G. Sinha, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For O.P. No.4)
Mr. S. Rout, Adv.
(For Intervener)

W.P.(C) No.2270 of 2021

Priyadarshinee Bhoi .... ***Petitioner***

Mr. G. Sinha, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For O.P. No.4)
Mr. S. Rout, Adv.
(For Intervener)

W.P.(C) No.3351 of 2021

Barsharani Dalai and another .... ***Petitioners***

Mr. A.K. Pandey, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For O.P. No.4)

W.P.(C) No.13659 of 2021

Kabita Moharana and others .... ***Petitioners***

Mr. K.C. Sahu, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For O.P. No.2)

W.P.(C) No.13663 of 2021

Rashmita Mohanta and others .... ***Petitioners***

Mr. K.C. Sahu, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For O.P. No.3)

W.P.(C) No.13664 of 2021

Madhusmita Biswal and others .... ***Petitioners***

Mr. K.C. Sahu, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For O.P. No.4)

W.P.(C) No.15712 of 2021

Sujata Hota and another .... ***Petitioners***

Mr. K.C. Sahu, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For O.P. No.2)

W.P.(C) No.15732 of 2021

Santoshini Samantray and others .... ***Petitioners***

Mr. R.K. Patnaik, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For O.P. No.4)

W.P.(C) No.26212 of 2021

Narmada Nayak and another .... ***Petitioners***

Mr. K.C. Sahu, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For O.P. No.4)

W.P.(C) No.26919 of 2021

Nandita Ray .... ***Petitioners***

Mr. K.C. Sahu, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For Intervener)

W.P.(C) No.26923 of 2021

Santi Lata Nayak and another .... ***Petitioners***

Mr. K.C. Sahu, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For Intervener)

W.P.(C) No.28210 of 2021

Sabita Khatua and others .... ***Petitioners***

Mr. K.C. Sahu, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For O.P. No.4)

W.P.(C) No.28624 of 2021

Dharitri Mahanta and another .... ***Petitioners***

Mr. K.C. Sahu, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate
(For O.P. No.4)

W.P.(C) No.30725 of 2021

Nirupama Jena and another .... ***Petitioners***

Mr. K.C. Sahu, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Advocate

W.P.(C) No.32204 of 2021

Smaranika Nayak .... ***Petitioner***

Mr. K.C. Sahu, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC

W.P.(C) No.33821 of 2021

Manjulata Maharana and others .... ***Petitioners***

Mr. K.C. Sahu, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC
Mr. B.P. Tripathy, Sr. Adv.
(For O.P. No.4)

W.P.(C) No.34910 of 2021

Sabita Kumari Maharana and others .... ***Petitioners***

Mr. K.C. Sahu, Adv.

-versus-

State of Odisha and others .... ***Opposite Parties***

Mr. P.P. Behera, ASC

CORAM: JUSTICE SANJAY KUMAR MISHRA

ORDER
24.10.2025

Order No.
02. This matter is taken up through hybrid mode.

2. W.P.(C) No.35420 of 2020, which is the leading case on board, so also the other connected writ petitions on board, having similar issues and prayers, on consent of the learned Counsel for the parties, are taken up for hearing and disposal vide this common order.

3. In W.P.(C) No.35420 of 2020, which is the leading case, the following prayers have been made:-

> **"*PRAYER***
>
> *It is therefore prayed that the Hon'ble Court be graciously pleased to pass following relief(s):-*
>
> *(i) The Hon'ble Court be pleased to admit & allow this writ petition.*
>
> *(ii) The Hon'ble Court be pleased* ***to quash the impugned portion of the letters/order(s) under Annexure-5 & 6 so far it relates to non-inclusion of posts of MPHW(F)/ANM working under RBSK scheme of NHM and also to set-aside the impugned decision of the government as per impugned order dtd.19.11.2020 under Annexure-8 (Series) so***

for it relates to regularization / induction as well as declaration of MPHW(F) / ANM who were juniors to the petitioners *as the status of government employees by declaring the said action of the government as illegal & discriminatory one.*

(iii) ***The Hon'ble Court be pleased to further direct the Opp. Parties for inclusion/induction of the petitioners who are working as contractual MPHW(F)/ANM in MHU/RBSK Scheme under the NHM Scheme in the process of regularization by further regularizing the services of the petitioners from the date of completion of 6 years of contractual service like other contractual paramedic employees including the same MPHW(F)/ANMs working under the NHM like the petitioners*** *as has been done under Annexure-8(Series) keeping in view of the provisions of Statutory recruitment rule under Annexure-4 with all consequential service & financial benefits within a stipulated period for the interest of justice."*

(Emphasis supplied)

4. Pursuant to order dated 09.10.2025, Mr. B.P. Tripathy, learned Senior Counsel, who represents the Opposite party Nos.1 and 4, submits that the submission made on 09.10.2025 by the learned Counsel for the Petitioners is correct. Paragraph No.2 of the said order dated 09.10.2025, being relevant, is reproduced below.

*"**2.** Learned Counsel for the Petitioners submits, the subject matter of the present writ petition is covered by the judgment passed by the coordinate Bench in **Amaresh Behera & Ors. Vs. State of Odisha & ors.**, reported in 2024(II) ILR CUT 642, so also order dated 31.07.2025 passed in W.P.(C) No.4564 of 2021 in **Chandan Kumar Kar & ors. Vs. State of Odisha & ors**. He files photocopy of the judgment in **Amaresh***

Behera*(supra) in the Court, which are taken on record."*

5. However, Mr. Tripathy, learned Senior Counsel submits, a writ appeal has been preferred by the State against the said common judgment passed by the coordinate Bench *in* ***Amaresh Behera*** *(supra)*, which is still subjudice.

6. It is found from the order dated 31.07.2025 passed by the coordinate Bench in ***Chandan Kumar Kar(supra)*** that, though a similar submission was made by the learned Counsel for the Opposite Party No.4 in the said case, who is also the Opposite Party No.4 in the present case, the coordinate Bench disposed of the said writ petition with the following observations.

> *"**4.** It is contended that the issue involved in the present case is squarely covered by the judgment delivered by this Court on 26.04.2024 in W.P.(C) No.35563 of 2020 and batch.*
>
> ***4.1.** It is also contended that by following the aforesaid decision, this Court vide order dated 19.09.2024 in W.P.(C) No.22890 of 2024 also disposed of similar nature of claim as made by the petitioner. It is accordingly contended that the present Writ petition be disposed of in the light of the order passed in W.P.(C) No.35563 of 2020 so followed in W.P.(C) No.22890 of 2024.*
>
> ***5. Even though Mr. B.P. Tripathy, learned counsel appearing for O.P. No.4, contended that against the order passed in W.P.(C) No.35563 of 2020, a writ appeal is pending but since no interim order passed in the writ appeal is available, this Court is inclined to dispose of the present Writ Petition in the light of the judgment dated 26.04.2024 passed in W.P.(C) No.35563 of 2020.***
>
> ***6.** The Writ Petition along with all pending*

I.As. stand disposed of."

(Emphasis Supplied)

7. At this stage, a query being made, it is submitted at the Bar that the Chief District Medical & Public Health Officer of the concerned districts so also the Principal Secretary, Health & Family Welfare Department, Odisha Secretariat, Bhubaneswar, are the decision making authorities and competent to look into the grievances of the Petitioners.

8. Hence, Chief District Medical & Public Health Officer of concerned districts, who are parties to the present writ petition and the connected writ petitions on board, so also the Principal Secretary, Health & Family Welfare Department, Odisha are directed to act in terms of the observations made in paragraph Nos.46 to 48 of the judgment dated 26.04.2024 passed in W.P.(C) No.35563 of 2020 and batch (***Amaresh Behera and others Vs. State of Odisha and others***), reported in 2024 (II) ILR CUT 642, within a period of three months from the date of production of certified copy of this order.

9. Accordingly, the present writ petition as well as connected writ petitions on board, having similar prayers, are allowed and disposed of in terms of the observation made above.

10. It is made clear that, in view of disposal of all the writ petitions, the interim orders, if any, passed in the leading case as well as in the connected writ petitions on board stand merged with this order and disposed of accordingly.

11. All the pending applications, including intervention applications, in the leading writ petition as well as

connected writ petitions on board, if any, also stand disposed of accordingly.

12. Urgent certified copy of this order be granted as per rules.

Kanhu

(S. K. MISHRA)
JUDGE

Signature Not Verified
Digitally Signed
Signed by: KANHU BEHERA
Designation: Junior Stenographer
Reason: Authentication
Location: High Court of Orissa, Cuttack.
Date: 25-Oct-2025 14:15:03