IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32610 of 2025

Abinash Tripathy and others .... ***Petitioners***
Mr. S.Mohanty, Adv.

-versus-

State of Odisha & Another .... ***Opposite Parties***
Mr. S.P. Das, ASC

CORAM:
THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
09.12.2025

Order No. **W.P.(C) No.32610 of 2025 & I.A. No.20357 of 2025**

4. **1.** This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. On the oral prayer made by the Petitioner, he is permitted to implead Principal Secretary to Government, G.A & P.G. Deptt. as Opp. Party No.3 in Court.

3. In course of hearing, learned counsel appearing for the Petitioner contended the Wri Petition be confined to Petitioner No.1 and liberty be given to file separate applications in respect of other Petitioners. Such a prayer is allowed.

4. Heard learned counsel appearing for the parties.

5. The present writ Petition has been filed inter alia with the flowing prayer:

> The petitioners, therefore pray that your lordship would graciously be pleased to admit this petition and after hearing the parties be pleased to
>
> (i) Issue a writ of certiorari quashing the impugned order dated 12.08.2025 (Annexure-5) passed by the Principal Secretary, W&CD Department, as arbitrary, non-speaking, and contrary to the order dated 01.05.2025 of this Hon'ble Court in W.P.(C) No.11834 of 2025;
>
> (ii) Issue a writ of mandamus directing the Opposite Parties to finalize the proposal for regularization of the Petitioners' services as recommended in Letter No.14320/WCD dated 12.07.2023, within a period to be fixed by this Hon'ble Court;
>
> (iii) Without prejudice, if this Hon'ble Court deems individual petitions necessary, the Petitioners pray that this writ be treated as the lead matter on the common questions, with liberty to file separate writs without fresh scrutiny or duplication of annexures, and that all such matters be tagged together for common hearing;
>
> (iv) Pass such other or further orders as may be deemed fit and proper in the interest of justice and equity.
>
> And for this Act of kindness, the Petitioner shall ever pray.

6. It is contended that even though Petitioner is otherwise eligible to get the benefit of

regularization, but on the ground that Government has not taken a policy decision as yet, claim of the Petitioner was disposed of vide the impugned order dt.12.08.2025. It is accordingly contended that Government be directed to take a decision with regard to the claim involved in the present Writ Petition in terms of order dt.12.08.2015.

7. Learned Addl. Standing Counsel on the other hand contended that since no decision has yet been taken, Petitioner's claim has been rightly considered and disposed of vide order under Annexure-5.

8. Having heard learned counsel appearing for the parties, considering the submission made and taking into account the nature of order passed under Annexure-5, this Court while disposing the Writ Petition permits the Petitioner to make a fresh application before Opp. party No.3 for consideration of his grievance with regard to the observation made in the impugned order that unless a policy decision is taken, Petitioner's claim cannot be considered.

8.1. It is observed that if such an application is filed within a period of 3(three) weeks hence, Opp. Party No. 3 shall do well to take a lawful decision on the same within a period of three (3) months from the date of receipt of such application. The order so

passed by Opp. Party No. 3 be communicated to the Petitioner.

8.2. Till a decision is taken on the claim of the Petitioner to be made before Opp. Party No.3, no coercive action be taken against the Petitioner.

8.3. The Writ Petition stands disposed of with the aforesaid observation and direction.

(Biraja Prasanna Satapathy)
Judge

sangita

Signature Not Verified
Digitally Signed
Signed by: SANGITA PATRA
Reason: authentication of order
Location: high court of orissa, cuttack
Date: 16-Dec-2025 14:53:14