IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.24919 of 2024

Dhuleswar Das …. **Petitioner**

Mr. M.K. Khuntia, Advocate

-Versus-

Union of India and others …. **Opposite Parties**

Mr. B.S. Rayaguru, Sr. Panel Counsel

CORAM:

JUSTICE KRISHNA SHRIPAD DIXIT
JUSTICE CHITTARANJAN DASH

ORDER
09.04.2026

Order No.
03.

By means of this application, the Petitioner calls in question the legality and propriety of the order dated 02.04.2024 passed by the Central Administrative Tribunal in O.A. No.589 of 2017.

2. The background facts leading to this case are that the petitioner, who was engaged as a Technical Helper under the Doordarshan establishment since 26.11.1994, has been continuously discharging his duties for a considerable length of time but his services were not regularised. Aggrieved by such inaction, the petitioner approached the learned Central Administrative Tribunal, Cuttack Bench in O.A. No. 589 of 2017 seeking regularisation of his service. The learned Tribunal, vide order dated 02.04.2024, disposed of the said original application

directing the authorities to consider the case of the petitioner in terms of the scheme dated 22.08.2019 instead of granting substantive relief. Being dissatisfied with the said direction, particularly when similarly situated persons had already been granted the benefit of regularisation pursuant to earlier orders of the Tribunal as well as this Court, the petitioner has approached this Court by filing the present writ petition. On 19.11.2024, when the matter was first taken up, learned counsel for the petitioner submitted that the issue involved in the present case is squarely covered by earlier decisions rendered in respect of similarly situated persons. It was further submitted that such decisions had attained finality up to the level of the Hon'ble Supreme Court and that the benefits flowing therefrom had already been extended to those persons. Thereafter, on 20.11.2024, learned counsel for the petitioner produced copies of the orders passed in similar matters, including those of this Court, the review proceedings and the Hon'ble Supreme Court, along with instances of consequential regularisation. The same were taken on record. Considering the nature of the dispute and the materials placed, this Court issued notice on the question of admission with an indication that the matter may be finally disposed of at the stage of admission itself.

3. As seen from the record, the impugned order dated 02.04.2024 passed by the learned Central Administrative Tribunal, Cuttack Bench in O.A. No. 589 of 2017 reveals that while the claim of the petitioner for regularisation was under consideration, the learned Tribunal, instead of adjudicating the issue on merits, disposed of the Original Application by directing the competent

authorities to consider the case of the petitioner in terms of the scheme dated 22.08.2019 and to pass a reasoned order thereon. Thus, no positive or conclusive relief was granted to the petitioner, and the matter was relegated to the authorities for consideration.

4. Be that as it may, the learned counsel for the Petitioner drew the attention of this Court to the order passed in W.P.(C) No.20539 of 2019, wherein the Petitioners, who were engaged as Casual Helpers under the Doordarshan establishment, were extended the benefit of regularisation. It is submitted that the said Petitioners, as well as the present Petitioner, derive their claim from the very same line of adjudication beginning with T.A. No. 34 of 2009 and batch of cases, wherein similarly situated employees were directed to be regularised, and in pursuance thereof, several such employees have already been conferred the benefit of regularisation. The present Petitioner had also relied upon the said decisions before the learned Tribunal, asserting parity with those employees.

5. The factual matrix further reveals that the present Petitioner, having been engaged as a Technical Helper since 26.11.1994, has discharged duties of a regular nature under the administrative control of the Opp. Parties, continuously, for decades. Such engagement, though described as casual, was neither sporadic nor short-term but against the regular requirements of the establishment. On a perusal of the materials on record and the nature of engagement, this Court finds that the case of the present Petitioner falls within the category of "irregular" appointment and not "illegal" appointment, particularly in view of his long and

uninterrupted service without intervention of any Court or Tribunal.

6. At this juncture, reference may be made to the decision of the Hon'ble Supreme Court in ***Jaggo vs. Union of India & Others***, **2024 SCC OnLine SC 3826,** wherein it has been reiterated that employees in irregular appointments, who have rendered long years of continuous service, are entitled to consideration for regularisation as a one-time measure, and that the principles laid down in ***Secretary, State of Karnataka vs. Umadevi*, (2006) 4 SCC 1** ought not to be applied in a manner so as to defeat legitimate claims of such employees.

7. In view of the ongoing discussion, the Opp. Parties are directed to take all consequential steps and pass appropriate orders within a period of eight weeks from the date of receipt of this order, granting regularisation to the Petitioner from the date of his initial engagement, along with all attendant service and financial benefits, strictly in accordance with the applicable rules, including those relating to conferment of temporary status and consequential regularisation.

(Krishna Shripad Dixit)
Judge

(Chittaranjan Dash)
Judge

A.K.Pradhan/Bijay/Sarbani

Signature Not Verified
Digitally Signed
Signed by: SARBANI DASH
Designation: Junior Stenographer
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 10-Apr-2026 11:09:52