IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No. 35925 of 2020
CNR No. ODHC010764722020

Susanta Kumar Barik	***.....***	***Petitioner***
		Mr. S.D. Routray, Advocate
	-versus-	
State of Odisha & Ors.	***.....***	***Opposite Parties***
		Mr. A. Tripathy, AGA
		Mr. N. Barik, Advocate
		(Opp. Party No. 3)

CORAM:
THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY
ORDER
18.11.2026

Order No. 05

1. This matter is taken up through hybrid mode.

2. Heard learned counsel appearing for the Parties.

3. The present writ petition has been filed inter alia with the following prayer:-

> *"It is therefore, most humbly prayed that this Hon'ble Court be graciously pleased to*
>
> *i) Admit the writ application.*
>
> *ii) Call for the record.*
>
> *iii) Issue Rule Nisi calling upon the opposite part No.1 to show cause as to why the impugned letter of clarification dated 20.03.2019 under Annexure- 7 passed by the Opposite Party No 1, letter dated 23.02.2019 under Annexure 8 issued by the Opposite Party No 4, letter dated 30.07.2019 under Annexure 9*

issued by the Opposite Party No 1 and the decision taken in the proceeding held on 13.11.2020 so far as it relates to the petitioner under Annexure 10 issued by opposite party no.1 and order shall not be quashed.

iv) If the opposite parties do not show cause or show insufficient cause issue a writ in the nature of certiorari or any other appropriate writ/writs, order/orders, direction/directions quashing impugned letter of clarification dated 20.03.2019 under Annexure- 7 passed by the Opposite Party No 1, letter dated 23.02.2019 under Annexure 8 issued by the Opposite Party No 4, letter dated 30.07.2019 under Annexure 9 issued by the Opposite Party No 1 and the decision taken in the proceeding held on 17.11.2020 so far as it relates to the petitioner under Annexure 10 issued by opposite party no.1.

v) Issue a writ in the nature of mandamus or any other writ/writs direction/directions directing the opposite parties, to regularize the services as Staff Nurse as per Rule 4 & 5 of Odisha Nursing Service (Method of Recruitment and Condition of Service) Rules 2019 within a reasonable time to be stipulated by this Hon'ble Court and to extend all the service and financial benefits to the petitioners as has been extended to their counterparts;

vi) And/or pass such other order/orders, direction/directions as this Hon'ble Court may deems fit and proper for the ends of justice.

And for the said act of kindness, the petitioner as in duty bound shall ever pray."

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 & batch.

4.1. It is also contended that by following the aforesaid decision, this Court vide order dtd.19.09.2024 in W.P.(C) No. 22980 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.

4.2. It is also contended that challenge made to the order passed in W.P.(C) No. 35563 of 2020 in Writ Appeal No. 2659 of 2024 along with a batch of Writ Appeals were dismissed by this Court vide order dtd.07.05.2026. It is further contended that all those batch of Writ Appeals were dismissed, taking into account the order passed by this Court on 02.07.2025 in Writ Appeal No. 1323 of 2023 ***(State of Odisha vs. Chhabindra Kumar Samal)***.

4.3. It is further contended that SLP filed by the State against the order passed in the case of ***Chhabindra Kumar Samal*** has also been dismissed by the Apex Court vide order dtd.08.09.2026 with the following observation in Para 15:-

> *"15. In view of the above, we are not inclined interfere with the impugned orders passed by the High Court. However, it is made clear that such contractual pharmacists working in the Mobile Health Unit/Team who had not completed six (06) years of contractual service as on 27th November 2020 shall be governed under the amendment dated 27th November 2020."*

4.4. It is accordingly contended that since similar issue has been confirmed with dismissal of the Appeal in the case of ***Chhabindra Kumar Samal***, the writ petition be disposed of in the light of the order passed in W.P.(C) No. 35563 of 2020 & batch.

5. Mr. N. Barik, learned counsel appearing for Opp. Party No. 3 also fairly contended that the Writ Appeal filed against the order in W.P.(C) No. 35563 of 2020 and batch in the meantime has already been dismissed by this Court in Writ Appeal No. 9/2025 and batch vide order dtd.07.05.2026.

6. Having heard learned counsel appearing for the Parties and considering the submissions made, this Court is inclined to dispose of the writ petition in the light of the order passed in W.P.(C) No. 35563 of 2020 & batch.

7. The writ petition accordingly stands disposed of.

(BIRAJA PRASANNA SATAPATHY)
Judge

Sneha

Signature Not Verified
Digitally Signed
Signed by: SNEHANJALI PARIDA
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 19-Nov-2026 12:18:00