IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.34943 of 2026
(CNR No. ODHC010820132026)

Kunja Bihari Mallik & Others …. Petitioners

Mr. D.N. Rath, Advocate

-Versus -

State of Odisha & Others …. Opposite Parties

Mrs. Siva Mohanty, ASC

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER

Order No. **05.11.2026**

01. 1. Heard Mr. Rath, learned counsel for the petitioners and Mrs. Mohanty, learned ASC for the State.

2. Instant writ petition is filed by the petitioners for a direction to the opposite parties to antedate regularization of their services with effect from 2014 on completion of six years of service as Gana Sikhyaks instead of 1st March, 2017 modifying the regularization order Annexure-6 in terms of the decision in **Dhananjay Charan Dey and others Vrs. State of Odisha and others** in W.P.(C) No.31679 of 2011 decided on 5th March, 2020 and upheld in appeal and also by the Apex Court.

3. It is submitted to the Court that the petitioners joined as Gana Sikhyaks under Annexure-3 series and completed six years of service in the year 2014, hence, their services should have been regularized from the said date instead it has been allowed from 1st March, 2017. The submission is that the

decision in **Dhananjay Charan Dey** (supra) as at Annexure-7 was challenged in W.A No.10 of 2021 but was dismissed and ultimately confirmed in SLP(C) No.13627 of 2021 by order dated 25th January, 2023 as at Annexure-9. The further submission is that subsequent to dismissal of the SLP, the Government has initiated an exercise to implement the order therein and Mr. Rath, learned counsel refers to Annexure-12, letter dated 29th July, 2026 addressed to the DEO-cum-DPC, Ganjam by the Government in Department of School and Mass Education. With such submission, Mr. Rath, learned counsel contends that the case of the petitioners since similarly situated their services are required to be regularized with effect from 2014 with the modification of the regularization order i.e. Annexure-6.

4. Recorded the submission of Mrs. Mohanty, learned ASC for the State.

5. Since in an identical case, the matter was carried to the Apex Court and ultimately led to the dismissal of the SLP vide Annexure-9 and implementation is underway as revealed from Annexure-12, this Court is inclined to direct opposite party No.1 to consider regularization of services of the petitioners with effect from 2014 modifying the office order of such regularization at Annexure-6. In fact, the judgement in W.A No.524 of 2024 and batch of cases has been confirmed with the dismissal of SLP(C) No.14087 of 2026, whereafter, the Government has taken a decision to implement the same regularizing the services of the petitioners therein on

completion of six years of services. Having regard to the Government's decision vide Annexure-12, this Court is of the further view that the petitioners since similarly situated, their cases are also to be considered at par with a direction to the Authority concerned in that regard and accordingly, it is ordered.

6. In the result, the writ petition stands disposed of with the direction as aforesaid for compliance by opposite party No.1 at the earliest preferably within a period of four weeks from the date of receipt of a copy of this order.

7. Issue urgent certified copy of this order as per rules.

(R.K. Pattanaik)
Judge

Narayan

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