IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No. 34984 of 2026
CNR No. ODHC010821462026

Siba Behera ***.....*** ***Petitioner***
Dr. P. Chuli, Adv.

-versus-

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

CORAM:
THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY
ORDER
05.11.2026

Order No. 01

1. This matter is taken up through hybrid mode.

2. Heard learned counsel for the Parties.

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

> *"Under the above circumstances it is, therefore, humbly prayed that this Hon'ble Court may graciously be pleased to admit this case, call for the relevant records & after hearing both the sides:*
>
> *i. Quash the expression of interest No.21859 dated 19.09.2026 issued by Commissioner-Cum-Secretary, ST & SC Development, Minorities & Backward Classes Welfare Department under Annexure-5;*
>
> *ii) Declare that the expression of interest No.21859 dated 19.09.2026 issued by Commissioner-Cum-Secretary, ST & SC Development, Minorities & Backward Classes Welfare Department under Annexure-5 does not ipso facto result in termination of the petitioner;*
>
> *iii) Further declare that the continuous engagement of the petitioner on contractual basis for more than 7*

years against a perennial and sanctioned post is entitled to regularization of his service;

iv) Further be pleased to direct the opp. parties to regularize the petitioner's service as Subject Matter Specialist (Agriculture/Horticulture) in ITDA, Koraput, Dist-Koraput w.e.f. 16.05.2016 in tenns of judgments passed by the Hon'ble Supreme Court of India in Jaggo Vs. Union of India & Ors., SLP (C.) No.5580 of 2024, disposed of on 20.12.2024, Dharam Singh and others V. State of U.P. and others. Civil Appeal No.8558 of 2018, disposed of on 19.08.2025, Vinod Kumar and Ors. Etc. Vs. Union of India & Ors., SLP(C.) No.22241 of 2016, disposed of on 30.01.2024 and Shripal and Anr. Vs. Nagar Nigam, Ghaziabad, Civil Appeal No.8157 of 2024, disposed of on 31.01.2025 and the judgment passed by this Hon'ble court in Patitapaban Dutta & ors Vrs. State of Orissa & ors (W.P. (c) No. 19951/2020) which was disposed of on 09.09.2021 directing to regularize the service of the petitioners & grant all consequential benefits, which was upheld by the Hon'ble Division Bench of this Hon'ble Court in W.A. No. 777/2021 & also confined by the Hon'ble Apex court.

v) issue further direction(s)/order(s) directing the opp. parties, particularly opp. party No.3, to calculate the differential arrear salary and pay the same to the petitioner within a stipulated period as deemed fit and proper by this Hon'ble Court;

vi) Pass such other order/ orders as this Hon'ble Court may deem it fit and proper to give complete relief to the petitioner.

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

4. However, taking into account the claim raised in the present Writ Petition, liberty is granted to the Petitioner to make a fresh representation before Opp. Party No.2 by enclosing all the relevant documents and citations in support of his claim, if any, within a period of two (2) weeks hence.

5. It is observed that if such representation is filed within the aforesaid time period, Opp. Party No.2 shall do well to take a lawful decision on the same within a period of two (2) weeks from the date of receipt of such representation. The order so passed by Opp. Party No. 2 be communicated to the Petitioner.

6. With the aforesaid observation and direction, the Writ Petition is disposed of.

(BIRAJA PRASANNA SATAPATHY)
Judge

Nitu Prava

Signature Not Verified
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Reason: Authentication
Location: OHC, Cuttack
Date: 07-Nov-2026 12:14:27