



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 1451 of 2026

Bijay Kumar Jena

.....

Petitioner

Mr. A.K. Pandey, Adv.

-versus-

State of Odisha & Ors.

.....

Opposite Parties

Mr. S.P. Das, ASC

CORAM:

THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

05.05.2026

Order No. 08

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Parties.
3. Pursuant to order dated 24.03.2026, learned Addl. Standing Counsel produced the instruction so provided by the CDM & PHO, Kendrapara vide his letter dated 02.05.2026 with service of copy on the learned counsel appearing for the Petitioner. The same be kept in record.
4. Basing on the instruction, it is contended that while complying the order passed by this Court on 18.07.2022 in W.P.(C) (OAC) No. 232 of 2016 and while taking a decision on the claim made under Annexure-13, CDM & PHO, Kendrapara, Opp. Party No.3 has recommended the claim of the Petitioner for his regularization vide letter dated 04.03.2024, so enclosed as Annexure-A to the instruction.



5. It is contended that since order passed by this Court in the earlier Writ Petition in WPC (OAC) No.232 of 2016 has already been complied with by Opp. Party No.3, prayer made in the Writ Petition has become infructuous.

6. Learned counsel appearing for the Petitioner contended that even though claim of the Petitioner for his getting the benefit of regularization has been forwarded vide letter dated 04.03.2024 to Opp. Party No.2, but Petitioner is yet to get the benefit of regularization, on the face of such regularization being allowed in favour of the similarly situated employees by the CDM & PHO, Balangir vide order dated 08.09.2011 under Annexure-1.

6.1. It is also contended that taking into account the communication issued by the Opp. Party No.2 under Annexure-3, after receipt of the proposal from the office of Opp. Party No.3 vide letter dated 04.03.2024, appropriate steps should have been taken to regularise the services of the Petitioner.

7. Having heard learned counsel for the Parties and considering the submission made and the fact that claim of the Petitioner to get the benefit of regularization has been duly forwarded by Opp. Party No.3 vide his letter dated 04.03.2024 to the office of Opp. Party No.2 and no decision has yet been taken on the same, this Court while disposing of the Writ Petition directs Opp. Party No.2 to take a lawful decision on the recommendation made by Opp. Party No.3 vide his letter dated 04.03.2024, as expeditiously as possible preferably within a period of two (2) months from the date of receipt of this order with due communication to the Petitioner.



7.1. It is observed while taking such a decision relevancy of order issued under Annexure-1 and the communication made by the self-same Opp. Party No.2 on 10.12.2013 under Annexure-3 be taken into consideration.

7.2. Petitioner is permitted to provide copy of this order along with the document available under Annexure-1 and 3 before Opp. Party No.2 for compliance.

8. Accordingly, the Writ Petition stands disposed of.

(BIRAJA PRASANNA SATAPATHY)
Judge

Jyoti

Signature Not Verified

Digitally Signed
Signed by: JYOTIPRAVA BHOL
Reason: Authentication
Location: HIGH COURT OF ORISSA
Date: 08-May-2026 11:00:36

