



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A No. 86 OF 2022

State of Odisha and another* *Appellants

Mr. Bibekananda Nayak,
Additional Government Advocate

-versus-

K. Kranti Kumar and another* *Respondents

Mr. Atul Tripathy, Advocate

CORAM:

JUSTICE K.R. MOHAPATRA

JUSTICE SANJAY KUMAR MISHRA

ORDER

23.02.2026

Order No.

I.A. No.252 of 2022
& WA No. 86 OF 2022

5. 1. This matter is taken up through hybrid mode.
2. I.A. No.252 of 2022 has been filed for condonation of delay of 117 days in filing the Writ Appeal.
3. The I.A. as well as the Writ Appeal are taken up together on the basis of the instructions received by Mr. Nayak, learned Additional Government Advocate.
4. This Writ Appeal has been filed challenging the order dated 3rd September, 2020 passed in W.P.(C) No.22101 of 2020, whereby learned Single Judge directed to regularize the services of the Respondents keeping in view the judgment in the case of *Secretary State of Karnataka CMP No.1360 of 2014, W.P.(C) No.19996 of 2020 -2- and others –v- Umadevi (3) and others, (2006) 4 SCC 1* and in *State of Karnataka and others –v- M.L. Kesari and others*, involving SLP(C) No.15774 of 2006 and also



the resolution of the G.A. Department dated 17th September, 2013, within a period of four months from the date of the communication of a copy of the order by the Respondents and grant consequential service benefits as due admissible to them.

5. In a similar matter, i.e., W.A. No. 2027 of 2023 (listed along with this Writ Appeal), Mr. Tripathy, learned counsel for the Respondents submitted that the ratio in the case of ***Patitapaban Dutta Dash and others –v- State of Odisha and others*** (W.P.(C) No.19951 of 2020), disposed of on 9th September, 2021, is squarely applicable to this case. The said order was challenged by the State Government in W.A No.777 of 2021 and was confirmed by this Court. Assailing the same, the State Government preferred SLP(C) No.17482 of 2023, which was disposed of without inferring with the order passed in the Writ Appeal.

5.1. Taking note of the same, this Court directed Mr. Nayak, learned Additional Government Advocate to examine as to whether the ratio in the case of ***Patitapaban Dutta Dash and others*** (supra) is applicable to the case at hand or not.

6. Mr. Nayak, learned Additional Government Advocate, on instruction, submits that the ratio in the case of ***Patitapaban Dutta Dash and others*** (supra) is squarely applicable to the instant case. Hence, the State Government has taken a decision to implement the order impugned herein.

7. In view of the above, no further order is required to be passed either in the I.A. or in the Writ Appeal.



8. Accordingly, both the I.A. as well as the Writ Appeal stand dismissed. Any other I.A., if pending, also stand dismissed.

9. It is expected that the order passed in W.P.(C) No.22101 of 2020 shall be implemented within a period of eight weeks hence.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

(S.K. Mishra)
Judge

ms