



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.6481 of 2026

Sri Ajayananda Sahoo

.....

Petitioner

Represented by Adv. -
Kunal Kumar Swain

-versus-

Union Of India and others

.....

Opposite Parties

Mr. P.K. Pasayat, CGC

CORAM:

**THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA**

ORDER

26.02.2026

Order No.

- 01.
1. This matter is taken up through Hybrid mode.
 2. Heard learned counsel for the Petitioner as well as learned counsel for the State-Opposite Parties. Perused the writ application as well as the documents annexed thereto.
 3. The Petitioner has filed the present writ application with the following prayer:

*“Under the above circumstances, it is humbly
prayed that the writ petition may be allowed;*

AND

*(A) a writ of Mandamus or an appropriate
writ may be issued directing the opposite
parties to regularize the services of the
petitioner as Assistant Professor in the*



subject Vyakarana from the date of his initial appointment as the services of similarly situated contractual Guest Faculty / Assistant Professors have been regularized by the Central Sanskrit University, New Delhi, with all consequential service and financial benefits in consonance with the judgment of the Hon'ble Apex Court rendered in the case of Jaggo Vs. Union of India and others (S.L.P. (C) No.5580 of 2024 disposed of on 20.12.2024), in the case of Shripal and another Vs. Nagar Nigam, Ghaziabad (Civil Appeal No.8157 of 2024 disposed of on 31.01.2025), in the case of Dharam Singh and others Vs. State of Uttar Pradesh and another (Civil Appeal No.8558 of 2018 decided on 19.08.2025) and in the case of Bhola Nath Vs. The State of Jharkhand and others (SLP (Civil) No.30762 of 2024 disposed of on 30.01.2026), within a time to be stipulated by this Hon'ble Court;

(B) And any other order / orders or direction/directions may be issued so as to give complete relief to the petitioner;”

4. The factual background of the present writ petition in short is that the Petitioner pursuant to the advertisement published in the local daily “The Samaj” on 30.08.2013 applied for the post of Guest Faculty in the subject of Vyakarana in Rashtriya Sanskrit Sansthan (Deemed University), Puri. On being duly selected the name of the Petitioner was recommended for appointment as a Guest Faculty in the above named University. Finally, by virtue of order dated 18.09.2013 the Petitioner was engaged as a Guest Faculty. Learned



counsel for the Petitioner at this juncture contended that on being appointed as a Guest Faculty the Petitioner continued to discharge his duty sincerely to the satisfaction of all.

5. While this was the position, in the year 2023 while the Petitioner was continuing as a Guest Faculty, which has been extended from time to time, uninterruptedly, the engagement of the Petitioner was converted and he was appointed Assistant Professor (Contract) in Vyakarana w.e.f. 01.09.2023 by the Director, Central Sanskrit University, Puri, which has been subsequently renamed as Rashtriya Sanskrit Sansthan (Deemed University). Subsequently, the appointment of the Petitioner as Assistant Professor was being extended from time to time and that the Petitioner has been discharging his duties continuously without any interruption in such service. Learned counsel for the Petitioner in course of his argument referred to the experience certificate at Annexure-5, issued by the Director of the University in favour of the Petitioner. He further submitted that in the meantime the Petitioner has acquired the qualification of Acharya in Vyakarana (Master of Arts) from Rashtriya Sanskrit Sansthanam (Deemed University), New Delhi. He has also acquired PhD. Degree from the above named University. The Petitioner has also acquired the qualification of National Eligibility Test (NET) from the UGC, New Delhi and M.Phil. Degree from Shri Jagannath Sanskrit Vishwavidyalaya, Puri.

6. The sole grievance of the Petitioner in the present writ petition is that although the Petitioner has been serving continuously since the date of his initial appointment on 18.09.2013 at Annexure-1, however, the Opposite Parties have not considered the case of the Petitioner for regularization of his service. Being aggrieved by such



inaction on the part of the Opposite Parties, the Petitioner approached the Opposite Party No.2 for regularization of his service by filing a representation dated 31.01.2026 at Annexure-7 to the writ petition.

7. Learned counsel for the Petitioner in support of his argument referred to the law laid down by the Hon'ble Supreme Court in the case of ***Bhola Nath v. The State of Jharkhand and others*** decided in ***SLP (Civil) No.30762 of 2024*** vide judgment dated 30.01.2026. It was also contended that by laying down the law in ***Bhola Nath's*** case (*supra*) the Hon'ble Supreme Court has also taken note of the judgment in ***Jaggo v. Union of India and others*** reported in ***2024 SCC Online SC 3826*** as well as the judgment in ***Sripal and another V. Nagar Nigam, Gaziabad*** reported in ***2025 SCC Online SC 221*** and in ***Binod Kumar v. Union of India*** reported in ***2024 9 SCC 327*** along with ***Dharam Singh and others v. State of Uttar Pradesh and another*** reported in ***2025 SCC Online SC 1735***. After examining the above noted judgments the Hon'ble Supreme Court in ***Bhola Nath's*** case (*supra*) has laid down the principle in the concluding paragraph-14 of the judgment. Referring to the principle laid down in Para-14 of ***Bhola Nath's*** case (*supra*), learned counsel for the Petitioner contended that the Opposite Parties should have regularized the service of the Petitioner as the further continuance of the Petitioner on contractual basis against a sanctioned vacant post is nothing but exploitation. In course of argument, learned counsel for the Petitioner also referred to the judgment of the Hon'ble Supreme Court in ***Pawan Kumar and others v. Union of India and others*** decided in ***SLP(C) No.29214 of 2019*** by judgment dated 13.02.2026. By referring to Para-9 of the above noted judgment,



learned counsel for the Petitioner contended that the Hon'ble Supreme Court has relied extensively upon on the principle of law laid down in *Jaggo's case* (*supra*). Thereafter, in the concluding paragraph the Hon'ble Supreme Court, while setting aside the judgment of the High Court, directed the Opposite Party to regularize the service of the Petitioner with a consequential direction to release all benefits in favour of the Appellant in that case. In view of the aforesaid settled principle of law, learned counsel for the Petitioner contended that the Opposite Parties have committed a gross illegality by not regularizing the service of the Petitioner.

8. Learned Central Government Counsel for the Opposite Parties on the other hand contended that although he has no specific instruction in the matter, however, taking into consideration the fact that the Petitioner has already approached the Opposite Party No.2 by filing a detailed representation dated 31.01.2026 and in the event the same is still pending before the Opposite Party No.2 for taking a final decision on it, he will have no objection in the event this Court directs the Opposite Party No.2 to consider the representation of the Petitioner strictly in accordance with law and the ratio laid down by the Hon'ble Supreme Court in the above noted judgments within a stipulated period of time.

9. Considering the submissions made by the learned counsels appearing for the respective parties, on a careful examination of the background facts, further keeping in view the principle of law laid down by the Hon'ble Supreme Court in a series of judgments referred to hereinabove, this Court deems it proper to dispose of the writ petition at the stage of admission by directing the Opposite Party No.2 to consider and dispose of the representation of the



Petitioner at Annexure-7 strictly in accordance with law and by applying the principles of law laid down by the Hon'ble Supreme Court in the above noted judgments within a period of eight weeks from the date of communication of a certified copy of today's order. The Opposite Party No.2 shall do well to dispose of the representation of the Petitioner by passing a speaking and reasoned order. The final decision so taken be communicated to the Petitioner within ten days thereafter. It is further directed that since the grievance of the Petitioner is pending before the Opposite Party No.2 and this Court directs consideration of such grievance, the services of the Opposite Parties shall not be dispensed with for a period of three months.

10. With the aforesaid observations/directions, the writ application stands disposed of.

Issue urgent certified copy of this order as per Rules.

(Aditya Kumar Mohapatra)
Judge