



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.7156 of 2025

Manoj Kumar Sai & Anr.

.....

Petitioners

Represented By Adv. -
Dilip Kumar Sahu

-versus-

State Of Odisha & Ors.

.....

Opposite Parties

Represented By Adv. –
D.K. Sahoo, A.G.A.

CORAM:

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

ORDER

25.03.2025

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners as well as learned Additional Government Advocate for the State-Opposite Parties. Perused the writ application as well as the documents annexed thereto.
3. The Petitioners have filed the present writ application with the following prayer:

“It is therefore, prays that this Hon'ble Court would be graciously pleased to admit this writ application, issue rule NISI calling upon the Opposite Parties to file show cause as to why they shall not be directed to consider the cases of petitioners for regularization along with grant all consequential service and financial benefits to the Petitioners as admissible to the posts held by them with effect from date of approval as per Judgement **Bijay Kumar Behera and others -Versus- state of Odisha and others** in



W.P.(C) No.38547 of 2020 within a stipulated time.

In the event of the Opposite Parties fail to file show-cause or show insufficient cause, then the said rule may be made absolute and issues a Writ in the nature of mandamus /certiorari or any other appropriate Writ or Writs directing the opposite parties for regularization of the petitioners along with grant all consequential service and financial benefits to the them as admissible to the posts with effect from date of approval as per Judgement **Bijay Kumar Behera and others -Versus- state of Odisha and others** in **W.P.(C) No.38547 of 2020** within a stipulated time.

And further be pleased to pass any order/orders direction/directions as deem fit and proper.”

4. In course of hearing of the writ application, learned counsel for the Petitioners submits that the Petitioners ventilating their grievance has submitted representation before the Additional Chief Secretary, Health and Family Welfare Department, Odisha, Bhubaneswar, Opposite Party No.1 under Annexure-6. It is also submitted by the learned counsel for the Petitioners that the said representation is pending as of now. It is also submitted by the learned counsel for the Petitioners that a direction be issued to the Opposite Party No.1 to consider the representation of the Petitioners under Annexure-6 within a stipulated period of time.

5. Learned Additional Government Advocate submits that he has no objection if the representation of the Petitioners is considered by the Opposite Party No.1, which is stated to be pending, in accordance with law within a stipulated period of time.

6. Considering the limited nature of grievance of the Petitioners, the writ application is disposed of at the stage of admission with a direction to the Opposite Party No.1 to consider the representation of



the Petitioners under Annexure-6, keeping in view the ratio laid down by the Hon'ble Supreme Court in the case of *State of Karnataka v. Umadevi*, 2006(4) SCC 1 as well as in *State of Karnataka and others v. M.L. Keshari and others*, 2010(II) OLR (SC) 982, in *Jaggo v. Union of India and others*, reported in 2024 SCC Online SC 3826, in *Sripal and another V. Nagar Nigam, Gaziabad* (decided on 31st January, 2025) in *Civil Appeal No.8158-8179 of 2024*) and in *Bijay Kumar Behera and others v. State of Odisha and others*, (decided on 27.02.2023) in *W.P.(C) No.38547 of 2020* within a period of three months from the date of production of certified copy of this order. The Opposite Party No.1 shall do well to dispose of the representation of the Petitioners under Annexure-6 by passing a speaking and reasoned order. The decision so taken by the Opposite Party No.1 be also communicated to the Petitioners within two weeks thereafter.

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

8. Issue urgent certified copy of this order as per Rules.

(**A.K. Mohapatra**)
Judge

Anil

Signature Not Verified

Digitally Signed
Signed by: ANIL KUMAR SAHOO
Reason: Authentication
Location: High Court of Orissa
Date: 26-Mar-2025 12:30:28