



IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.8556 of 2025

Goura Hari Patra

.....

Petitioner

Represented By Adv. -
Dilip Kumar Sahu

-versus-

1) State Of Odisha

.....

Opposite Parties

2) Director Of Ayush, Odisha
3) District Ayurvedic Medical
Officer, Bolangir

Represented By Adv. -
Ms. B.K.Sahoo, A.G.A.

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA

ORDER
26.03.2025

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:

*“It 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 the they shall not be directed to consider
the cases of petitioner for regularization along with grant
all consequential service and financial benefits to him as
admissible to the posts held by him with effect date of
approval, as per Judgement dated 27/02/2023 in the
matter of **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 to regularized the petitioner along with grant all consequential service and financial benefits to the him as admissible to the posts held by him with effect date of approval, as per Judgement dated 27/02/2023 in the matter of **Bijay Kumar Behera and others -Versus- state of Odisha and others in W.P.(C) No.38547 of 2020** within a stipulated time.”*

4. It is stated by learned counsel for the Petitioner that although the Petitioner is working as a Sweeper-cum-Night Watchman in the Government Homeopathy Dispensary, Cuttack & Jagatsinghpur District for last 20 years uninterruptedly, however, his service has not been regularized. He further contended that although the Petitioner had approached the Opposite Party No.1 by filing a representation on 28.10.2024, however, no decision has been taken on such representation under Annexure-6 to the writ petition. Being aggrieved by such inaction by the Opposite Party No.1, the Petitioner has approached this Court by filing the present writ petition.

5. Learned counsel for the State on the other hand contended that since the Petitioner has approached the Opposite Party No.1, who is the competent authority and in the event any such representation is pending before the Opposite Party No.1, she will have no objection in the event this Court direct the Opposite Party No.1 to take a lawful decision on the representation of the Petitioner dated 28.10.2024 in accordance with law within a stipulated period of time.

6. Considering the submissions made by the learned counsels appearing for the respective parties, on a careful analysis of their



submission and on a close scrutiny of the document annexed to the writ petition, further keeping in view the decision of the Hon'ble Supreme Court in the case of *Jaggo v. Union of India & others* reported in *2024 SCC Online SC 3826* and in the case of *Secretary, State of Karnataka –v.- Uma Devi*, reported in *(2006) 4 SCC 1* as well as in *State of Karnataka and others v. M.L. Keshari and others* reported in *2010(II) OLR (SC) 982* and in the case of *Sripal and another V. Nagar Nigam, Gaziabad* decided on 31st January, 2025 in *Civil Appeal No.8158-8179 of 2024*, this Court deems it proper to dispose of the writ petition at the stage of admission by directing the Opposite Party No.1 to consider and dispose of the representation of the Petitioner in light of the aforesaid judgments within a period of three months from the date of communication of a certified copy of today's order. The Opposite Party No.1 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.

7. 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

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