



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.8283 of 2025

Bibhuti Bhusan Sahoo

.....

Petitioner

Represented By Adv. -
Basudev Barik

-versus-

State Of Orissa & Ors.

.....

Opposite Parties

Represented By Adv. –
Siva Mohanty, A.S.C.

CORAM:

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

ORDER

24.03.2025

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned Additional Standing Counsel appearing for the State-Opposite Parties.
3. The Petitioner, who is fully displaced person working in the work charge establishment, has filed this writ petition to be brought over to regular establishment after completion of five years of service and he should be appointed in regular post and granted all benefits as due and admissible to him in accordance with law, including pension/pensionary benefits taking into account his entire period of service.
4. Mr. B. Barik, learned counsel for the Petitioner contended that the Petitioner fully displaced person has already been served more than twenty two years in the work charged establishment, but he has



not yet been brought over to the regular establishment though stand at par with his counterparts who had filed O.A. No. 2559(C) of 1999 (*Kasidev Maharana v. State of Orissa & Ors.*) and batch disposed of vide order dated 16.11.1999, which has been confirmed by this Court vide order dated 08.01.2018 passed in WP(C) No. 7246 of 2016 and re-affirmed by the apex Court vide order dated 30.07.2018 passed in Diary No.23207 of 2018, and that the said order of the tribunal has been implemented pursuant to the common judgment dated 27.07.2021 passed by this Court in CONTC (CPC) No. 305 of 2000 and batch. It is also further contended that in the above eventuality, let the Petitioner files an application before the authority concerned seeking relief which has already been granted to similarly situated persons, so that the authority can consider the same in the light of the order passed by the tribunal, as mentioned above and taking account of order dtd.17.04.1999 passed in O.A. No.2313(C)/1993, Annexure-3 resolution dtd.07.09.1995, Annexure-12 and R.R. Policy, 1994 and case of *Pitabas Pradhan vrs. State of Odisha & Ors.*

5. Learned Additional Standing Counsel appearing for the State- Opposite Parties contended that if the Petitioner is working in the work charge establishment and he wants to be brought over to the regular establishment and such question has already been considered by the tribunal in the cases, referred to above, then his grievance can be considered by the authority concerned in the light of the order passed by the tribunal.

6. Having heard learned counsel for the parties and after going through the records, this Court is of the considered view that since the Petitioner is fully displaced person working in the work charge establishment and he wants to come over to regular establishment,



his case requires consideration in the light of the orders dated 16.11.1999 passed by the tribunal in O.A. No. 2559(C) of 1999 (*Kasidev Maharana vs. State of Orissa & ors.*) and batch, which has been confirmed by this Court vide order dated 08.01.2018 passed in WP(C) No. 7246 of 2016 and re-affirmed by the apex Court vide order dated 30.07.2018 passed in Diary No.23207 of 2018, in view of implementation of the order of the tribunal pursuant to the common judgment dated 27.07.2021 passed by this Court in CONTC (CPC) No. 305 of 2000 and batch. Consequentially, this Court directs that if the Petitioner files an application/representation before the authority concerned within two weeks hence, the same shall be considered in the light of the order passed by the tribunal, referred to above and taking into account order dated 17.04.1999 in O.A. No.2313(C)/93, Annexure-3 resolution dtd.07.09.1995, Annexure-12 and R.R. Policy, 1994 and case of *Pitabasa Pradhan vs. State of Odisha* and others as expeditiously as possible preferably within a period of three months from the date of receipt of the application/representation.

7. With the above observations and directions, the writ petition stands disposed of.

Issue urgent certified copy 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: 25-Mar-2025 15:24:44