



IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No. 14000 of 2018

Debendranath Mallick & Ors.

Petitioners

Mr. S. Mohanty, Advocate

-versus-

Director General, ICAR &
Ors.

Opposite Parties

Mr. J. Ray, Advocate

CORAM:

THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

09.07.2026

Order No. 26

1. This matter is taken up through hybrid mode.
2. Heard learned counsel appearing for the Parties. Additional affidavit filed in Court be kept in record.
3. Petitioners have filed the present writ petition inter alia with the following prayer:-

“It is, therefore, most respectfully prayed that your Lordship may graciously be pleased to admit this writ application and issue Rule NISI to the opp. parties to show cause as to why they shall not be directed to consider the case of the petitioner for regularization of his contractual service period with effect from the date of his initial engagement by granting six notional increment like other similarly situated persons within a stipulated period.

And on their failing to show cause or showing insufficient cause, the said Rule be made absolute by issuing appropriate writ(s);

And pass such further order(s) as may be deemed fit and proper.



And for this act of kindness the petitioner shall, as in duty bound ever pray.”

4. However, taking into account the claim raised in the present Writ Petition, liberty is granted to the Petitioners to make fresh individual representations before Opp. Party No. 2 by enclosing all the relevant documents and citations in support of their claim, if any, within a period of three (3) weeks hence.

4.1. It is observed that if any such individual representations are filed within the aforesaid time period, Opp. Party No. 2 shall do well to take a lawful decision on the same within a period of three (3) months from the date of receipt of such representation. The order so passed by Opp. Party No. 2 be communicated to the Petitioners.

4.2. Since it is contended that claim of the Petitioner is covered by the recent decision of the Hon'ble Apex Court in the case of ***Jaggo vs. Union of India & Ors., 2024 SCC OnLine SC 3826; Shripal & Anr. vs. Nagar Nigam, Ghaziabad, 2025 SCC OnLine SC 221***, as well as ***Dharam Singh & Ors. vs. State of U.P. & Anr. (Civil Appeal No(s).8558 of 2018*** and another decision of the Apex Court in the case of ***Bhola Nath Vs. State of Jharkhand and Others, 2026 INSC 99***, it is observed that along with the representation, if the decisions so cited (supra) will be enclosed, Opp. Party No. 2 shall consider the relevancy and effect of those decision for taking a decision on the Petitioners claim to get the benefit of regularization.

4.3. However, it is further observed that, if any similarly situated employees have got the benefit of regularization as contended in the



additional affidavit, the same be also taken into consideration by Opp. Party No. 2.

4.4. Till a decision is taken as directed, no coercive action be taken against the Petitioners.

5. With the aforesaid observation and direction, the Writ Petition is disposed of.

(BIRAJA PRASANNA SATAPATHY)
Judge

Sneha