



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.18932 of 2025

Chandan Kumar Mohanty

Petitioner

Mr. P.K. Nayak, Advocate

-versus-

State of Odisha & Ors.

Opp. Parties

Mr. A. Tripathy, AGA

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

13.08.2025

Order No.

- 02.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard learned counsel appearing for the Parties.
3. The present Writ Petition has been filed *inter alia* with the following prayer:-

“It is, therefore, prayed that this Hon'ble Court may graciously be pleased to issue RULE NISI in the nature of writ of mandamus and/or any other appropriate writ/writs, direction/directions, order/orders calling upon the opposite parties to show cause as to why:

(i) the Opp. Parties shall not be commanded to reinstate the service of the petitioner as peon in terms of the Government resolutions, rules, and judgments within a particular time;

(ii) the Opp. Parties shall not be commanded to regularise the service of the petitioner as peon in terms of the Government resolutions, rules, and judgments within a particular time;

And if the opposite parties fail to show cause and/or show insufficient cause, the Rule be made absolute;

And/or pass such other further order/orders as deemed just and proper;



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

4. It is contended that without any reason and basis, Petitioner has been disengaged from his work vide the impugned communication dtd.31.05.2025 under Annexure-4.

4.1. It is fairly contended that even though Petitioner is continuing through outsourcing, but the letter of disengagement being punitive in nature, the same could not have been issued without following the principle of natural justice. It is accordingly contended that the impugned order of disengagement is not sustainable in the eye of law.

5. Mr. A. Tripathy, learned Addl. Government Advocate for the State on the other hand contended that since the Petitioner is continuing through outsourcing, he has got no vested right to continue. Since his conduct was found not satisfactorily, he was disengaged basing on the instruction given by the CDVO, Balasore. It is accordingly contended that the impugned disengagement needs no interference.

6. Having heard learned counsel appearing for the Parties and considering the submissions made, this Court finds that Petitioner was disengaged vide the impugned communication dtd.21.05.2025, while continuing through outsourcing. If as contended such a disengagement order



has been issued basing on the direction issued by the CDVO, Balasore, let the Petitioner put forth his grievance before the said authority for its re-consideration. It is observed that if any such application will be moved before Opposite Party No.3 within a period of two (2) weeks hence for reconsideration of the order of disengagement, the said authority shall take a lawful decision on the same within a further period of four (4) weeks.

7. Accordingly, the Writ Petition stands disposed of.

(Biraja Prasanna Satapathy)
Judge

Subrat

Signature Not Verified

Digitally Signed
Signed by: SUBRAT KUMAR BARIK
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 14-Aug-2025 16:57:50

