



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.A. No. 1844 of 2024

*Principal Secretary to Govt. of Odisha, Revenue & D.M.
Department, Bhubaneswar and
others* *Appellants*

Ms. A. Dash, Addl. Standing Counsel
-versus-

Dhiren Kumar Jena *Respondent*
Mr. Jayant Kumar Rath, Senior Advocate

CORAM:
HON'BLE THE CHIEF JUSTICE
HON'BLE MISS JUSTICE SAVITRI RATHO

Order No. **ORDER**
06.01.2025

07. This matter is taken up through Hybrid mode.

I.A. No.4815 of 2024

2. The present intra-court appeal is barred by limitation. There is delay of 262 days in filing the appeal.
3. This application has been filed by the applicants/appellants for condonation of the aforesaid delay of 262 days in preferring the writ appeal.
4. An objection has been filed on behalf of the respondent to the application seeking condonation of delay on the ground that the reasons assigned in this application are not satisfactory for this Court to condone the delay, as sufficient cause has not been shown.



5. Though we are satisfied that the delay in filing the present intra-court appeal has not been properly explained, in the interest of justice and in view of the legal issue involved in the present intra-court appeal, we are inclined to condone the delay, subject to payment of cost of Rs.5000/- to the respondent within four weeks from today.

6. This application is accordingly allowed and disposed of.

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7. It is noteworthy that by the impugned order, the learned Single Judge has directed for regularization of the respondent's service by creating one post of Junior Stenographer in the establishment of the appellants by abolishing the post of Senior Stenographer.

8. The question is as to whether such direction could be issued, in the facts and circumstances of the case, by this Court in exercise of power of judicial review under Article 226 of the Constitution of India?

9. List this matter for fresh admission on 03.03.2025.

(Chakradhari Sharan Singh)
Chief Justice

(Savitri Ratho)
Judge