IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.19418 of 2022

Manoj Kumar Sahoo .... ***Petitioner***

Mr. K.C. Sahu, Advocate

-versus-

State of Odisha and Others

.... ***Opposite Parties***

Mr. A.K. Pati, ASC

CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
18.12.2025

Order No.
09. **1.** This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard learned counsel for the parties.

3. Pursuant to order dated 08.12.2025, learned Addl. Standing Counsel produced the instruction so provided by the Director. The same be kept in record.

4. The present Writ Petition has been filed inter alia with the following prayer:-

> *"It is, therefore, prayed that your Lordship's be graciously pleased to pass following relief(s);-*
>
> *(i) The Hon'ble Court be graciously pleased to allow the Writ petition,*
>
> *(ii) The Hon'ble Court be pleased to quash the impugned order of rejection dtd. 16.07.2022 under Annexure-13 with further directing the Opp. Party*

authorities to regularise the service of the petitioner in the regular available Class-IV/Group-D vacant post under the administrative control of Opp. party no-3 keeping in view of his long continuance of 28 years service as contingent labour on DLR basis so also keeping in view of the judgment of Hon'ble Apex Court passed in the case of "Uma Devi", "M.L. Keshari", "Amarkant Ray" 8c Others so also the decision of this Hon'ble Court is several similar nature of cases with all consequential serve k financial benefits within a time bound period for the interest of justice.

(iii) The Hon'ble Court be graciously pleased to pass any other Writ(s), Direction(s), Order(s) as this Hon'ble Court may be deemed fit and proper,"

5. It is contended that only on the ground that petitioner has been engaged after 12.04.1993, petitioner's claim to get the benefit of regularisation has been rejected vide the impugned order dated 16.07.2022 under Annexure-13.

5.1. Learned counsel for the petitioner contended that the ground on which petitioner's claim has been rejected is no more sustainable in view of the judgment delivered by this Court on 02.05.2023 in W.P.C(OAC) No.1568 of 2018 and further order passed by this Court on 20.08.2025 in W.P.(C) No.17395 of 2022 and batch as well as order dated 01.12.2025 in W.P.(C) No.17483 of 2021 and batch.

5.2. It is accordingly contended that the ground on which petitioner's claim has been rejected, is no more sustainable and it requires interference of this Court.

6. Basing on the instruction, learned Addl. Standing Counsel contended that sine petitioner has been engaged after the cut off date, he is not eligible and entitled to get the benefit for regularization. It is also contended that after rejecting the petitioner's claim to get the benefit of

regularization, when he was dis-engaged pursuant to the interim order passed by this Court on 03.08.2022, petitioner is continuing in his services.

6.1. It is accordingly contended that since petitioner is not in continuous engagement as a DLR, he is not otherwise eligible to get the benefit. It is accordingly contended that the impugned order has been rightly passed.

7. To the submission made by learned Addl. Standing Counsel, learned counsel for the petitioner made further submission contending *inter-alia* that pursuant to the earlier order passed by this Court while considering and rejecting claim of the petitioner for regularization, when he was dis-engaged, challenging such order of rejection as well as the direction to dis-engage the petitioner, the present Writ Petition was filed. However, pursuant to the interim order dated 03.08.2022, petitioner is continuing without any break.

8. Having heard learned counsel for the parties and considering the submissions made, this Court is of the view that claim of the petitioner so rejected vide the impugned order dated 16.08.2022 under Annexure-13, is no more sustainable in view of the judgment delivered by this Court on 02.05.2023 in W.P.C(OAC) No.1568 of 2018 and further order passed by this Court on 20.08.2025 in W.P.(C) No.17395 of 2022 and batch as well as order dated 01.12.2025 in W.P.(C) No.17483 of 2021 and batch.

8.1. Therefore, this Court while quashing impugned order dated 16.07.2022 under Annexure-13, disposed of the Writ Petition in the light of the order passed on 02.05.2023 in W.P.C(OAC) No.1568 of 2018 and further order passed by this Court on 20.08.2025 in W.P.(C) No.17395 of 2022 and batch as well as order dated 01.12.2025 in W.P.(C) No.17483 of 2021 and batch and direct Opp. Party No.1 to pass a fresh order within a period of 2 (two) months from the date of receipt of this order.

9. The Writ Petition stands disposed of.

(Biraja Prasanna Satapathy)
Judge

Basudev

Signature Not Verified
Digitally Signed
Signed by: BASUDEV SWAIN
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 19-Dec-2025 14:44:11