



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 1601 OF 2025

State of Odisha and another* *Appellants

Represented by Adv.-
Mr. S.B. Mohanty, AGA

-versus-

Maheswar Mahanta and others* *Respondents

CORAM:

JUSTICE KRISHNA SHRIPAD DIXIT

JUSTICE CHITTARANJAN DASH

ORDER

27.02.2026

Order No.

01. The State and its functionaries are in this Intra-Court appeal to call in question the learned Single Judge's order dated 09.06.2021 whereby the respondent-employee's W.P.(C) No. 13787 of 2021 having been favoured in the light of *State of Karnakata v. Umadevi, 2006 (4) SCC 1* & *State of Karnataka v. M.L. Keshari and others, 2010 (II) OLR (SC) 982*, direction has been issued for regularization of his services.

2. Having heard learned AGA for the appellants and having perused the appeal papers, we decline indulgence in the matter mainly because the appeal is preferred after brooking a long delay of 1539 days offering a frugal explanation in the application in I.A. No.4005 of 2025 supported by affidavit. Why all these more than four years, the State was in a deep slumber is astonishing. Such a long delay cannot be condoned because the respondent-employee served the State since 16.10.2000. Therefore, the learned Single Judge has rightly applied the decisions of the Apex Court in *M.L.*



Keshari (*supra*). Now because of further march of law vide ***Jaggo Vs. Union of India***, 2024 INSC 1034, ***Shripal and Ors. Vs. Nagar Nigam, Ghaziabad***, 2025 INSC 144 & ***Dharam Singh Vs. State of U.P.***, 2025 INSC 998, the case of the appellants becomes still more weaker.

In the above circumstances, the appeal being devoid of merits and there being no plausible explanation for the delay, both the application and the appeal are rejected in *limine*. The appellants are directed to implement the order of learned Single Judge and report compliance to the Registrar General of this Court within an outer limit of three (3) months, failing which the concerned officials run the risk of contempt proceedings.

Registry shall send a copy of this order to the respondent-employee by speed posts.

Web copy of the order to be acted upon by all concerned.

(Krishna Shripad. Dixit)
Judge

(Chittaranjan Dash)
Judge

PKSahoo