



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No. 1791 OF 2025

State of Odisha and another ***Appellants***

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

-versus-

Sudhakar Rout ***Respondents***

Mr. Prafulla Kumar Mohapatra, Advocate

CORAM:

JUSTICE KRISHNA SHRIPAD DIXIT

JUSTICE CHITTARANJAN DASH

Order No.

ORDER

27.02.2026

01. This Intra-Court appeal by the State and its functionaries seeks to assail the learned Single Judge's order dated 01.11.2023 whereby the respondent-employee's W.P.(C) No. 33518 of 2023 having been favoured, direction has been issued for regularization of his services and to grant all consequential benefits in accordance with law within a period of three months.
2. The appeal has been filed after brooking a delay of 712 days and an application in I.A. No. 4361 of 2025 supported by affidavit has been filed accompanying the appeal.
3. Having heard learned counsel for the parties and having perused the appeal papers, we decline indulgence in the matter, mainly, because of the following reasons:
- 3.1 The Intra-Court appeal is moved by the State after brooking a long delay of 712 days. Although an application in I.A. No. 4361 of 2025 supported by affidavit is filed, the explanation offered in the application is not plausible and unaccepted. There cannot be different yardstick for the State and its officials when it comes to the limitation period, of course with all just exceptions. Therefore, the application is thoroughly



unworthy of lenient consideration.

3.2 Above apart, learned Single Judge while granting relief of regularization has considered the Apex Court decisions in *State of Karnakata v. Umadevi, 2006 (4) SCC 1* & *State of Karnataka v. M.L. Keshari and others, 2010 (II) OLR (SC) 982* inasmuch as the respondent has put in service for more than three decades, his entry being 01.01.1996. That apart, the respondent is a member of last rung of ladder of service. Such a Class-IV employee if denied relief, judicial process at the hands of Constitutional Courts would lose meaning.

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 the learned Single Judge within an outer limit of three (3) months and report compliance to the Registrar General of this Court, failing which the concerned officials are at the risk of contempt proceedings.

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

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

(Krishna Shripad. Dixit)
Judge

PKSahoo

(Chittaranjan Dash)
Judge