



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.39627 of 2021

Bansidhar Sikha

....

Petitioner

Mr. B.C. Ghadei, Advocate

-versus-

State of Odisha & Anr.

....

Opposite Parties

Mr. P.K. Panda, ASC

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

29.07.2026

Order No.

- 16.** 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 in view of the aforesaid facts and circumstances, the Hon'ble Court may be pleased to admit the writ petition, issue rule NISI calling upon the opposite parties to show case as to:

a. Why the order No. 2454 dated. 09.02.2021, vide Annexure-17 of the connected writ petition shall not be quashed.

b. Why the petitioner's service shall not be regularized with effect from 26.03.1997 i.e the date of his joining in the post of Junior Stenographer.

c. Why the petitioner shall not be allowed all consequential service benefits including pensionary benefits from the date of his initial joining, i.e dt. 26.03.1997.

d. Why the arrears of salary of the petitioner shall not be calculated from 26th March in regular and revised scale of



pay and be disbursed in his favour within a stipulated period.

e. Why any other relief (s) as the Hon'ble Court may deem fit and proper shall not be granted to the petitioner.

If the opposite parties fail to show cause of show insufficient cause then this Hon'ble court may be pleased to make the rule absolute by issuing appropriate writ(s)/direction(s) to quash the order No. 2454 dated. 09.02.2021, Annexure-17 and be further pleased to direct the opposite parties to regularize the service of the petitioner from the date of his initial joining in the post of Junior Stenographer on dated. 26.03.1997 with all consequential service benefits to secure the ends of justice.

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

4. It is contended that the ground on which Petitioner's claim has been rejected vide the impugned order dtd.09.02.2021 under Annexure-17 is no more sustainable, in view of the judgment delivered subsequently by this Court in W.P.(C) No.9252 of 2022, disposed of on 09.09.2022 and another order passed by this Court in W.P.(C) No.9256 of 2022, disposed of on 12.09.2022.

4.1. It is also contended that similar claim in the case of one **Sitaram Bhoi** when was allowed by the Tribunal in O.A. No.2424 (C) of 2001 vide its order dtd.13.11.2018, the same was assailed by the State by filing W.P.(C) No.15196 of 2019. On dismissal of the Writ Petition vide order dtd.30.03.2021, State carried the matter to the Apex Court by filing Special Leave to Appeal (Civil)



No.11734 of 2021. However, the said appeal was also dismissed vide order dtd.06.08.2021.

4.2. It is further contended that basing on the order passed by this Court in W.P.(C) Nos.9256 and 9252 of 2022, Petitioner's therein have got the benefit of regularization from their initial date of appointment as against the post of Junior Stenographer. However, similar claim of the Petitioner has been rejected vide the impugned order dtd.09.02.2021 under Annexure-17.

4.3. It is accordingly contended that since similar claim after being allowed by this Court has been implemented by the State, the ground on which Petitioner's claim has been rejected is no more sustainable in the eye of law and Petitioner is entitled to get similar relief.

5. Learned Addl. Standing Counsel for the State on being provided with the orders passed by this Court in W.P.(C) Nos.9252 & 9256 of 2022, also fairly contended that Petitioner's claim is covered by the aforesaid orders of this Court.

6. Having heard learned counsel appearing for the Parties, considering the submissions made and placing reliance on the order passed by this Court in W.P.(C) Nos.9252 & 9256 of 2022 and so also the order passed by the Apex Court in upholding the order passed by the Tribunal in the case of **Sitaram Bhoi** in O.A. No.2424 (C)



of 2001, this Court is of the view that the ground on which Petitioner's claim has been rejected vide the impugned order is no more sustainable in the eye of law.

6.1. Therefore, this Court while quashing order dtd.09.02.2021 so passed by Opposite Party No.1 under Annexure-17, directs Opposite Party No.1 to extend the benefit of regularization from the date Petitioner was initially appointed as a Junior Stenographer with passing of a fresh order as expeditiously as possible preferably within a period of six (6) weeks from the date of receipt of this order.

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: 30-Jul-2026 17:11:49

