
(2023) 05 OHC CK 0162
In the Orissa High Court
Case No : Writ Appeal No. 765 Of 2022

State Of Odisha And Others

APPELLANT

Vs

Bijaya Kumar Hans And Another

RESPONDENT

Date of Decision : 10-05-2023

Acts Referred:

Citation : (2023) 05 OHC CK 0162

Hon'ble Judges : Dr. S. Muralidhar, CJ;G. Satapathy, J

Bench : Division Bench

Advocate : M. K. Khuntia, B. S. Tripathy

Final Decision : Disposed Of

Judgement

1. Although the Court is informed that that the pleadings were complete in the writ petition, it is seen that the impugned order has been passed without discussing the pleadings and noticing that the facts of the case on hand which involved regularization of Junior Stenographer in Vigilance Organization was very different from the case concerning regularization of Data Entry Operators (DEOs), which was a subject matter of W.P.(C) No.19951 of 2020 (Patitapaban Dutta Dash v. State of Odisha), which had been disposed of by judgment dated 9th September, 2021.

2. Although in para 3 of the impugned judgment it is noted that "it is agreed by learned counsel for the parties....". From what stated in the memorandum of appeal and in the counter affidavit itself, it is plain that the facts of the present case are different and it could not have gone on a concession by counsel for the Appellant.

3. For the aforementioned reasons, the impugned order is set aside and W.P.(C) No.19348 of 2020 is restored to the file of learned Single Judge where it will be listed for hearing on 24th July, 2023. The learned Single Judge will then proceed in accordance with law and endeavour to dispose of the writ petition as expeditiously as possible. Till such time, the status quo shall be maintained by

the parties.

4. The writ appeal is disposed of in the above terms.

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