



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13736 of 2024

***Bibhuti Ranjan Mishra &
Another***

....

Petitioners

Mr. N. Biswal, Advocate

-versus-

State of Odisha & Others

....

Opposite Parties

Mr. M.K. Balabantaray, AGA

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

30.05.2024

Order No.

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard learned counsel appearing for the Parties.
3. The Petitioners have filed the present Writ Petition *inter alia* with the following prayer: -

“i) To direct the Opposite parties more particularly the Opposite Party No.1 & 3 to extend the benefit of work charge establishment w.e.f.02.09.1993 instead of 06.09.2003 in favour of the present petitioners within a time framed by this Hon’ble Court considering the fact that the father of the petitioners Late Bijaya Kumar Mishra, Ex-Helper and was a party in the batch of writ petitions decided by this Hon’ble Court under Annexure-3 which was affirmed by the Hon’ble Apex Court under Annexure-4.

ii) To direct the Opposite Party No.3 to implement the judgment dtd.11.07.2022 passed in the W.P.(C) No.14980 of 2018 and batch of cases under Annexure-3 in favour of the present petitioners considering the fact that the father of the petitioners



Late Bijaya Kumar Mishra, Ex-Helper was a party in the writ petitions decided by this Hon'ble Court.

iii) To direct the Opposite Parties to extend all the consequential benefits of the father of the petitioners Late Bijaya Kumar Mishra, Ex-Helper in favour of the present petitioners within a time framed by this Hon'ble Court".

4. However, taking into account the claim raised in the present Writ Petition, liberty is granted to the Petitioners to make a fresh representation before Opp. Party No.1 by enclosing all the relevant documents and citations in support of their claim, if any, within a period three (3) weeks hence.

5. It is observed that if such a representation is filed within the aforesaid period, Opp. Party No.1 shall do well to take a lawful decision on the same within a period of three (3) months from the date of receipt of such representation. The order so passed by the Opp. Party No.1 be communicated to the petitioners.

6. It is observed that while taking such a decision, the relevancy and effect of Office Order No.15 dtd.07.03.2024 so passed by the Superintending Engineer, Head Works Division, Samal be taken into consideration in its proper prospective.

7. With the aforesaid observation and direction, the Writ Petition is disposed of.

Signature Not Verified

Digitally Signed
Signed by: SUBRAT KUMAR BARIK
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 30-May-2024 15:16:30



(Biraja Prasanna Satapathy)
Vacation Judge