

ITEM NO.23 + 69

COURT NO.6

SECTION XI-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CIVIL) Diary No(s). 13545/2024

(Arising out of impugned final judgment and order dated 13-11-2023
 in WA No. 1470/2023 passed by the High Court Of Orissa At Cuttack)

STATE OF ODISHA & ORS.

Petitioner(s)

VERSUS

PRATAP KUMAR PARIDA

Respondent(s)

(IA No.82433/2024-CONDONATION OF DELAY IN FILING and IA
 No.82434/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

WITH

Diary No(s). 13610/2024 (XI-A)

(IA No.82375/2024-CONDONATION OF DELAY IN FILING and IA
 No.82377/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

Diary No(s). 12137/2024 (XI-A)

(IA No.84584/2024-CONDONATION OF DELAY IN FILING and IA
 No.84586/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT)

with

Diary No. 15832 of 2024

(appln. for c/delay in filing)

Date : 15-04-2024 These petitions were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA

For Petitioner(s) Mr. Paramjit Singh Patwalia, Sr. Adv.
 Mr. Srisatya Mohanty, AOR
 Ms. Lhizu Shiney Konyak, Adv.

Mr. Arjun Garg, AOR
 Mr. Aakash Nandolia, Adv.
 Ms. Sagun Srivastava, Adv.
 Ms. Kriti Gupta, Adv.

Mr. Milind Kumar, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

SLP (C) D. No. 13545/2024

Heard Mr. P. S. Patwalia, learned senior counsel appearing for the petitioner(s).

2. Delay condoned.

3. The learned counsel for the State would submit that the respondent in the instant matter retired on 30.08.2022. Thereafter he filed a writ petition for notional regularisation of his work charge tenure as Laboratory Attendant, for pensionary benefits.

4. The learned Single Judge of the High Court, by the order dated 07.12.2022, directed notional regularisation of the services of the writ petitioner and allowed pensionary benefits by taking into account the tenure of the work charge employment. The Division Bench then upheld the Judgment of the learned Single Judge and dismissed the State's appeal, under the impugned order dated 13.11.2023.

5. Mr. Patwalia, the learned senior counsel would refer to a case of a similar employee under the work charge establishment G.Balakrishna [SLP (C) D. No. 33400 of 2023], for whom, the Division Bench passed an order on 11.05.2022. In that matter, this Court, on 22.03.2024, issued notice in the State's appeal to consider whether the services rendered in work charge status can be counted for grant of retiral benefits.

6. it is then submitted that the respondent superannuated without any protest on 30.08.2022 and only after retirement, he

moved the High Court in its writ jurisdiction.

7. Issue notice in the instant Special Leave Petition and also in the connected matters.

8. Tag with SLP (C) D. No. 33400 of 2023.

(JAYANT KUMAR ARORA)
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)
ASSISTANT REGISTRAR