

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.458 of 2022

Jyotiranjana Jena

.... ***Petitioner***
Mr. S.K. Mishra, *Advocate*

-versus-

State of Odisha and others

.... ***Opp. Parties***
Mr. S. Jena,
Standing Counsel for S & ME

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

10.01.2022

Order No.

01.

1. This matter is taken up through Video Conferencing Mode.
2. Heard Mr. S.K. Mishra, learned counsel appearing for the Petitioner and Mr. S. Jena, learned Standing Counsel appearing for the School and Mass Education Department.
3. The present writ petition has been filed by the Petitioner seeking for a direction to the Opposite Parties to appoint the Petitioner under the Rehabilitation Assistant Scheme (RAS) of the State Government and further he prays to grant him all consequential.
4. It is submitted by learned counsel for the Petitioner that the father of the Petitioner, who was working as Assistant Teacher in the Opposite Party No.5's institution and died in harness on 30.01.2020. Thereafter, the Petitioner had submitted an application on 02.12.2020.
5. Perusal of transforming for verification R.A. Scheme for Bhadrak district under Annexure-6 release that the Petitioner being confined at Sl. No.41 and the date of application is 02.12.2020.

6. The limited grievance of the Petitioner is that although the authorities accepted his application for appointment under Rehabilitation Assistant Scheme till date no action has been on the application filed by the Petitioner.

7. Mr. S. Jena, learned Standing Counsel appearing for the School and Mass Education Department submits that the application of the petitioner has been accepted and the petitioner will be given appointment in their due course subject to specifying eligibility requirement.

8. Having heard learned counsel for the parties, without entering into the merits of the case, this Court disposes of the writ petition with a direction to the Petitioner to file a fresh representation before the District Education Officer, Bhadrak-Opposite Party No.3 within a period of two weeks from today along with authenticated copy of this order. In the event such representation is filed, the Opposite Party No.3 shall do well to consider and dispose of the same in accordance with law and in the event the Petitioner is found eligible for appointment under the Rehabilitation Assistant Scheme, the entire exercise shall be completed within a period of three months. It is needless to mention here that the Opposite Party No.3 consider and dispose of the representation of the Petitioner by passing a reasoned and speaking order. The decision taken on the same shall be communicated to the Petitioner within a period of ten days thereafter.

9. With the aforesaid observation, the writ petition stands disposed of.

10. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a print out

of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Office Order dated 7th January, 2022.

(A.K. Mohapatra)
Judge

Jagabandhu

