

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 46 of 2012

Labanya Champati

.....

Petitioner

Mr. B.K. Ray, Adv.

Vs.

State of Orissa and others

.....

Opposite parties

Mr. A.K. Mishra, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

22.03.2022

Order No.

4.

This matter is taken up through hybrid mode.

2. None appears for the petitioner at the time of call.

3. Heard Mr. A.K. Mishra, learned Addl. Government Advocate appearing for the State-opposite parties..

4. Perused the record. The petitioner has filed this writ petition challenging the order dated 22.09.2011 passed in O.A. No. 2858 (C) of 2011 under Annexure-5, by which the Orissa Administrative Tribunal, Cuttack Bench, Cuttack, while disposing of the original application, observed that it has no jurisdiction to consider and direct the State Government to treat the post of Panchayat Secretary as Government servant holding a civil post, as the same, being a policy matter, is in the complete domain of the executive.

5. As the post of Panchayat Secretary is not a civil post, the claim made for compassionate appointment due to premature death of husband of the petitioner, who was serving as Panchayat Secretary, does not arise. Accordingly, we do not find any error apparent on the face of record so as to cause interference with the order impugned passed by the tribunal.

6. In the result, the writ petition merits no consideration and the same is hereby dismissed.

(DR. B.R. SARANGI)
JUDGE

(SAVITRI RATHO)
JUDGE

Ashok/Sukanta