

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 17721 of 2014

Ranjan Ku. Mahapatra

....

Petitioner

M/s. M.K. Swain, Advocate

-versus-

State and another

....

Opposite Parties

M/s. U. Sahoo, Advocate

Mr. S.N. Pattnaik, AGA

CORAM: JUSTICE V. NARASINGH

ORDER

30.08.2022

Order No.

05.

1. This matter is taken up through hybrid mode.
2. This Writ Petition is restored to file as per order dated 30.08.2022 passed in CMAPL No. 347 of 2022.
3. Heard learned counsel for the petitioner and Learned Additional Government Advocate Mr. Pattnaik for Opposite Party No.1.
4. There is no appearance on behalf of Opposite Party No.2- Executive Officer, Notified Area Council, Nayagarh.
5. The present Writ Application has been filed challenging the alleged inaction on behalf of the NAC Nayagarh to finalize the process of selection for the post of Work Sarkar in accordance with the Advertisement of 2013.
6. It is submitted by the learned counsel for the petitioner that because of inaction on the part of the Authorities, the right consideration for regularization of the petitioner is affected.

7. Counter affidavit has been filed on behalf of the Executive Officer, Notified Area Council, Nayagarh-Opposite Party No.2 which is on record. In Paragraph-3 of the counter affidavit referring to another Writ Petition W.P.(C) No.18438 of 2013 filed at the instance of another work Sarkar Sri Kumar Chandra Mishra of the said NAC it is stated therein that because of pendency of the aforesaid Writ Petition (W.P.(C) No.18438 of 2013), the process of selection was stalled and other allegation as made regarding inaction has been controverted.

8. It is stated at the bar that W.P.(C) No.18438 of 2013 has since been disposed of by order dated 04.08.2022.

9. As such, there is no impediment in the way of the Notified Area Council in question in taking steps in furtherance of the advertisement dated 02.08.2013 published in the Newspaper "Shruti" for recruitment for the post of Work Sarkar at Annenxure-9. Accordingly it is directed that it shall be open more particularly to the Opposite Party No.2-Executive Officer, NAC, Nayagarh to take steps in furtherance of the aforementioned advertisement for recruitment for the post of Work Sarkar expeditiously, if there is no other legal impediment.

10. With such observation, the Writ petition accordingly stands disposed of.

(V. NARASINGH)
Judge

Santoshi