

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No. 1002 of 2022

Rama Chandra Dalei

....

Petitioner

Mr. S.K. Mishra, Advocate

-Versus -

State of Odisha and others

Opposite Parties

....

*Mr. N. Pratap,
Additional Standing Counsel*

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

19.01.2023

Order No.

1.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner is aggrieved by order dated 14.12.2022 whereby the representation submitted by the petitioner was rejected by the Collector-cum-CEO, Zilla Parisad, Keonjhar.
4. The petitioner's case is that in the selection process held for engagement of Gram Rojgar Sevak of Danar G.P. his name found place at serial no.3. The person who was placed at serial no.1 did not join and in so far as the person at serial no.2 is concerned, it is stated that she was found to be unsuitable after verification of documents. As such, the original certificates of the petitioner were verified and found correct and forwarded to the Collector by the BDO, Hatadihi for appropriate action. In the meantime, the petitioner had approached this Court in W.P. (C) No. 20518 of 2021

seeking a direction to the authorities the complete the process of selection and to appoint him in the post. Pursuant to such order, the impugned order came to be passed by the Collector on 14.12.2022 wherein it was held that the advertisement for the post of GRS was published on 02.05.2017 and merit list was also finalized before receipt of the Comprehensive Guidelines for selection and engagement of GRS under MGNREGS vide order No. 6681 dated 06.04.2018 and therefore the merit list prepared at that time cannot be considered at this stage.

5. This Court finds that the remedy of appeal is provided against the order of the Collector to the Director, Special Projects as per the Comprehensive Guidelines. The matter is therefore, disposed of granting liberty to the petitioner to approach the appellate authority by filing appeal along with a petition for condonation of delay within a period of two weeks from today. In the event, such appeal along with petition for condonation of delay is filed, the same shall be considered by Appellate Authority in accordance with law. While considering the petition for condonation of delay, the Appellate Authority shall take into account the fact that the petitioner had bonafide moved this Court.

6. The writ petition is disposed of accordingly.

7. Urgent certified copy of this order be granted on proper application.

(Sashikanta Mishra)
Judge