

IN THE HIGH COURT OF ORISSA AT CUTTACK

WA No. 377 of 2012

Jyotibasus Minz

....

Appellant

Mr. Swapnil Roy, Advocate

-versus-

Collector-cum-CEO, Zilla

....

Respondent

Parishad, Sundar garh & others

Mr. D.K.Mohanty, AGA

Mr. S.Harichandan, Advocate for Respondent No.4

Mr. S.K.Rath, Advocate for Respondent No.5

**CORAM:
THE CHIEF JUSTICE
JUSTICE R.K.PATTANAİK**

Order No.

**ORDER
03.08.2022**

04.

1.The Appellant's grievance is that he was selected by the Selection Committee for appointment as Gram Rojgar Sevak (GRS) in respect of Jamsara Gram Panchayat (GP). However, before an appointment order could be issued to him, the impugned judgment of the learned Single Judge came to be passed on 3rd July 2012 in W.P. (C) Nos. 2081 of 2009 and 17023 of 2007 whereby Respondent No.5-Hemraj Sahoo was asked to be appointed as GRS in the Jamsara GP.

2. This Court while entertaining the present writ appeal by issuing notice on 3rd January, 2013 stayed the operation of the impugned order. The main ground on which the impugned order has been challenged by the present Appellant is that he ought to have been made necessary and proper party to the writ

petitions and should have been heard before the impugned order was passed.

3. Learned counsel appearing for Respondent No.5- Hemraj Sahoo informs the Court that during the pendency of the writ appeal, Respondent No.5 has again been transferred from Jamsara GP and at present working in Udusu GP.

4. Learned counsel appearing for Respondent No.4- Muna Sahoo also states that Respondent No.4 also is not working in the Jamsara GP, but in Ankurpali GP.

5. Although, there was an interim order passed by this Court on 3rd January, 2013 staying the order of the learned Single Judge and also the engagement of Respondent No.5, Mr. D.K.Mohanty, learned AGA, on instructions informs the Court that one Shri Rama Chandra Mahato is working as GRS in the Jamsara GP in Bisra Block of District Sundargarh since 27th September, 2021.

6. In that view of the matter, a direction is now issued to the Project Director, D.R.D.A., Sundargarh to give appointment to the Appellant as GRS in any other GP preferably in the same block but definitely in the same district Sundargarh wherever there may be a vacancy within a period of three months from today.

7. The impugned order of the learned single Judge is accordingly modified. The appeal is disposed of in the above terms.

8. The writ petition is disposed of in the above terms.

(Dr. S. Muralidhar)
Chief Justice

(R.K.Pattanaik)
Judge

