

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 22493 of 2014

Rasmirekha Pradhan

.....

Petitioner

Vs.

State of Odisha and Others

.....

Opposite Parties
State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE S. K. MISHRA

ORDER

05.08.2022

Order No.

03.

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 Additional Government Advocate appearing for the State-Opposite Parties, and perused the records.
4. The Petitioner has filed this Writ Petitioner seeking to quash the Order dated 31.10.2014 passed in M.P. No. 346(C)/2014 arising out of P. No. 199(C)/2013, by which the Odisha Administrative Tribunal, Cuttack Bench, Cuttack, has declined to condone the delay and rejected the aforesaid Misc. Petition.
5. The Petitioner had approached the Tribunal seeking to quash the notice dated 25.12.2011 (Select List) published by Opposite Party No. 2 and also to declare the Petitioner as selected candidate by including her name in the select list.
6. The case of the Petitioner, as is borne out from the record, is that the select list was published on 25.12.2011. But, the documents so required for the purpose of challenging the said select list were made available to the Petitioner through RTI Act only on 11.04.2012. Though the

Petitioner approached the Tribunal by filing P. No. 199 /2013 on 13.09.2013, but there was delay of 1 year and 9 months, and as regards the reason for such delay it was explained that the Petitioner got married in the month of February, 2013 and remained in her-in-laws house at Deogarh for quite long period. As per the customs, nobody is permitted to move out of in-laws house for the first six months from the date of marriage. Therefore, she could not be able to pursue the matter in time.

7. On perusal of the records, it appears that the select list was published on 25.12.2011 and the Petitioner got married in the month of February, 2013. If she had got the documents under the RTI Act on 11.04.2012, she could have approached the Tribunal before her marriage. As such, the delay has not been properly explained. Therefore, the Tribunal is justified in passing the Order dated 31.10.2014 in P. No. 199/2013, which does not warrant any interference of this Court. Accordingly, the Writ Petition stands dismissed.

(DR. B.R. SARANGI)
JUDGE

(S. K. MISHRA)
JUDGE