

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.19192 of 2012

Rajendra Kumar Panda

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Petitioner

*Mr.B.K..Pattanayak,
Advocate*

Vs.

State of Odisha and others

.....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

25.03.2022

Order No.

04.

This matter is taken up through hybrid mode.

2. In this writ petition, the petitioner has assailed the order dated 27.09.2010 passed in O.A. No.1809 (C) of 2009, by which the Orissa Administrative Tribunal, Cuttack Bench, Cuttack disposed of the O.A. by adopting the observation of this Court in W.P. (C) No.3898 of 2003 (***Sadasiva Sahoo v. State of Orissa***, disposed of on 25.7.2008) to the following effect:-

“Since the petitioner was appointed temporary/on casual basis, he has no right to continue in the post, and, accordingly, we do not find any illegality in the impugned judgment. However, it is observed that as and when the vacancy arises, the case of the petitioner shall be considered for appointment as Warder and his experience as Extra Temporary Warder shall be given weight-age. The age relaxation, if any, shall also be extended to the petitioner.”

3. In view of such position, since none is there on behalf of the petitioner to prosecute and the petitioner is no more in employment, in view of the observation made above that if any vacancy arises in future, the case of the petitioner shall be considered for appointment to the post in question even by granting age relaxation, this Court is not inclined to interfere with the order passed by the Tribunal in O.A. No.1809 (C) of 2009.

4. Accordingly, the writ petition is disposed of.

5. In view of disposal of the writ petition, the interim order passed earlier stands vacated.

Alok/Bichi



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(DR. B.R. SARANGI)
JUDGE

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(SAVITRI RATHO)
JUDGE