

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.3890 of 2022

Lenka Sethi & Ors.

....

Petitioners

Mr. Kunal Kumar Swain, Adv.

-versus-

State of Odisha and Ors.

....

Opposite Parties

Mr. Biswajit Mohanty, SC
(for SME Deptt.)

CORAM:

MR. JUSTICE S.K. PANIGRAHI

ORDER

16.02.2022

Order No.

- 01.
1. This matter is taken up through hybrid arrangement.
 2. Heard.
 3. Learned counsel for the petitioners submits that the subject matter of the present writ petition arises was before this Court in W.P.(C) Nos.549 of 2017, 857 of 2017, 1710 of 2017, 2433 of 2017, 2443 of 2017 and 2064 of 2018, which were disposed of by this Court. Many of the petitioners chose to file Writ Appeal before this Court. However, the present writ petitioners chose not to file Writ Appeal and to file the present writ petition on the self-same cause of action.
 4. The present petitioners seek direction against the opposite parties especially the opposite party no.1 to consider their case for appointment as Sikhya Sahayaks against backlog vacancies pursuant to the order passed in favour of the appellants in W.A. No.701 of 2019. Since the petitioners had an occasion to file Writ Appeal after dismissal of their writ petition, they chose not to file Writ Appeal and remained as fence sitters. When the order was passed in W.A No701 of 2019 in favour of the appellants therein, the petitioners regained their sense to approach this Court again

for the self-same cause of action which is nothing but a procedural fallacy which should have been addressed in a proper manner.

5. After arguing for some time, learned counsel for the petitioners wants to withdraw the present writ petition with liberty to approach the appropriate authority for appropriate direction.

6. Accordingly, this writ petition stands dismissed as withdrawn.

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

BJ

