

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.5822 of 2022

Lilarani Swain

....

Petitioner

*Mr. M. Pratap @ Pratap Kumar
Mohapatra, Advocate*

-versus-

State of Odisha and others

....

Opposite Parties

Mr. Y.S.P. Babu, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

10.03.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned counsel for the State.
3. The present writ petition has been filed by the Petitioner with the following prayer:-

“i. Further be pleased to cancel/modify order No.3062 dt. 10.03.2021 of the Director, VIMSAR, Burla regarding deployment of Office Order No.1405 dt. 22.09.2018, which amounts to punishment of reversion from the post of Asst. Professor at College of Nursing, VIMSAR, Burla to the rank of Tutor at School of Nursing, VIMSAR, Burla without due enquiry as per Rule-15 of the OCS (CCA) Rules, 1962.

And

- ii. Further be pleased to consider for regularization/absorption due to my regular selection through open Advertisement i.e. vide Notice dt. 18.11.2017 for Walk-in-Interview and her selection was made in Walk-in-Interview at 2 P.M. at METU Hall on dt. 23.11.2017 for Officiating Principal and the Asst. Professor at College Nursing, VIMSAR, Burla, which complied Art. 14 & 16 Constitution of India.

And

- iii. Further be pleased to issue deployment order as Asst. Professor-cum-Principi (I/C) of the College of Nurshing, VIMSAR, Burla till my regularization / absorption as Asst. Professor College of Nursoing, VIMSAR, Burla,

And

- iv. For this act of kindness, the humble-self shall be highly obliged.”

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed a comprehensive representation highlighting all her grievances before the Secretary to Government, Health and Family Welfare Department, Bhubaneswar-Opposite Party No.1 on 25th September, 2021 under Annexure-36, however, the said Opposite Party has not considered the same as of now. He further submits that at this stage, the decision suffice, if a direction be given to the Opposite Party No.1 to consider the aforesaid representation of the petitioner in accordance with law within a

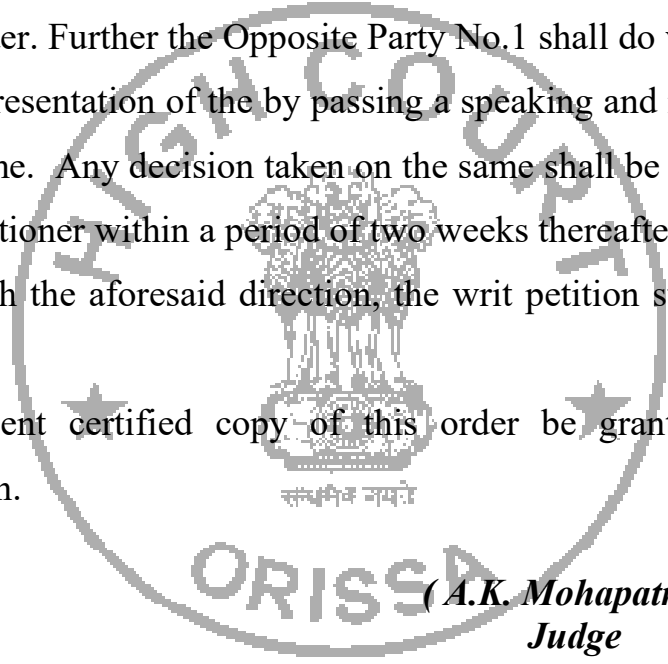
stipulated period of time.

5. Learned counsel for the State submits that he has no objection, if a direction is given to the authorities to consider the representation of the Petitioner within a stipulated period of time.

6. Considering the aforesaid submissions made, this Court disposes of the writ petition with a direction to the Secretary to Government, Health and Family Welfare Department, Bhubaneswar- Opposite Party No.1 to consider the representation of the Petitioner dated 25.09.2021 under Annexure-36 in accordance with law within a period of two months from the date of production of certified copy of this order. Further the Opposite Party No.1 shall do well to dispose of the representation of the by passing a speaking and reasoned order on the same. Any decision taken on the same shall be communicated to the Petitioner within a period of two weeks thereafter.

7. With the aforesaid direction, the writ petition stands disposed of.

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



(*A.K. Mohapatra*)
Judge