

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.477 of 2016

Mamata Satpathy

....

Appellant

M/s. K.K. Swain, Advocate & Associates

-versus-

State of Odisha and others

....

Respondents

Mr. M.K. Khuntia

Additional Government Advocate

CORAM:

THE CHIEF JUSTICE

JUSTICE CHITTARANJAN DASH

ORDER

11.10.2022

Order No.

02.

1. The challenge in the present writ appeal is to an order dated 13th September 2016, passed by the learned Single Judge dismissing the W.P.(C) No.11538 of 2015 filed by the present Appellant.

2. In the said writ petition, the Appellant had questioned an order dated 1st May, 2015 of the Collector-cum-CEO, Zilla Parishad, Puri rejecting the representation for appointment to the post of Sikhya Sahayak.

3. A perusal of the order dated 01.05.2015 reveals that the reasons that weighed with the Collector for rejecting the plea of the Appellant were as under:

“Heard both parties and verified all relevant documents with annexure filed by the DPC, SSA in his case record. I

am of the opinion that, petitioner has not secured more marks than the 17 nos. of C.T candidates got an appointment. But this process of engagement of Shiksha Sahayaks is now under subjudice before the Hon'ble High Court. The Stay order is in force and it is not proper to interference within the engagement process of Shiksha Sahayak relating to S.T. backlog vacancies since the selection process itself is questioned before the Hon'ble High Court. Hence, the case of the petitioner cannot be considered. She shall act as per result of order of Hon'ble High Court in future”.

4. Learned counsel appearing for the Appellant points out that the aforementioned writ petition in this Court is still pending. In that view of the matter, the interests of the Appellant have already been protected by the above order by giving her liberty to revive her plea subject to the outcome of the writ petition, no other order could have been passed in the circumstances. Accordingly, the Court finds no ground to interfere with either the order of the Collector or of the learned Single Judge. The present writ appeal is accordingly dismissed.

(Dr. S. Muralidhar)
Chief Justice

(Chittaranjan Dash)
Judge

S. Behera