

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.6632 of 2022

Ex Hay, Nabin Chandra Bhatra *Petitioner*
Mr. R.L. Pattnaik, Advocate
-versus-
Union of India and others *Opposite Parties*
Mr. P.K. Parhi, ASGI &
Mr. S. Panda, C.G.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
29.03.2022

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 :-

“Therefore, it is prayed that this Hon’ble Court be pleased enough to allow this writ application of the petitioner and direct the Opposite Parties more particularly Opposite Party No.2 to consider the application of the petitioner regarding the appointment under the sponsorship of Rajya Sainik Board by issuing call letter for interview;

And May

Direct to consider the representation dtd.23.02.2022 which is pending since long before the Opposite Parties.

And May

Pass any such other appropriate order/directions/writ as may be deemed fit and proper (including appropriately moulding the reliefs) in the bonafide interest of justice.”

4. It is submitted by learned counsel for the Petitioner that although the Petitioner, who is an ex-serviceman, after retirement from service, has applied for recruitment as a guard. Although he has duly filled up application form and otherwise, he is also eligible to be appointed as a guard and accordingly, the petitioner had submitted his application before the Zilla Sainik Board.

5. It is further submitted by learned counsel for the petitioner that the petitioner had submitted his application to the concerned Zilla Sainik Board, which had not sponsored the name of the petitioner. Therefore, the petitioner has not been given any reengagement after his retirement from defence service.

6. Mr. P.K. Parhi, learned Assistant Solicitor General of India along with Mr. S. Panda, C.G.C. appearing for the Opposite Parties submits that the petitioner had filed representation before the Assistant General Manager (H.R.), Human Resources, Department, Bhubaneswar, which is a non-existent office and description in the said representation regarding authority, who shall consider, is not adequate. He further submits that the representation is not presented to the appropriate authority to consider the grievance of the petitioner. Further, he submits that the petitioner be directed to approach to the respective Zilla Sainik Board with his grievance and file a fresh representation highlighting his grievances. In the event such representation is filed, a direction be given to the authority to consider the representation of the petitioner within a stipulated period

of time in accordance with law.

7. Learned counsel for the Union of India further 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.

8. Considering the submissions made by learned counsel for the parties, limited nature of prayer of the petitioner, this Court disposes of the writ petition with a direction to the petitioner to file a fresh representation highlighting his grievances along with supporting documents to the concerned Zilla Sainik Board within a period of two weeks along with certified copy of this order. In the event such a representation is filed within the aforesaid period, the same shall be considered in accordance with law and do the needful. In the event the petitioner is suitable for job, the representation shall be forwarded to the recruitment agency for his appointment at the earliest. The respective Zilla Sainik Boards are also directed to give specific reason and communicate to the petitioner. Any decision taken on the same shall be communicated to the petitioner within a period of two weeks from the date of taking such decision.

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

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

(A.K. Mohapatra)
Judge