

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.21530 of 2013

Sri Chandan Das

....

Petitioner

Mr. A.N. Routray, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. D.K. Mohanty,
Additional Government Advocate

CORAM:

**THE CHIEF JUSTICE
JUSTICE A.K. MOHAPATRA**

Order No.

**ORDER
25.02.2022**

09. 1. The matter is taken up through hybrid arrangement (virtual/physical mode).
2. The challenge in the writ petition is to two Office Memoranda (OM) dated 29th January, 1994 issued by the Government of Odisha, Tribal Welfare Department. In the reply filed to the counter affidavit, it is pointed out that a corrigendum has been issued to the said OM by letter dated 17th July, 2014, which provides for determination of the creamy layer. A copy of the said corrigendum has been enclosed with the counter affidavit.
3. Despite the counter affidavit having been filed way back in the year 2015, till date no rejoinder has been filed. Without challenging to the said corrigendum, it is not possible for the Court to appreciate the

challenge by the Petitioner to the main OM. If so advised, it would be open to the Petitioner to file a fresh petition in that regard.

4. The writ petition is disposed of in the above terms.

(Dr. S. Muralidhar)
Chief Justice

(A.K. Mohapatra)
Judge

R.K. Singh/U. Sahoo

