

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 8705 of 2022

Sujata Rani Rath

Petitioner

Mr. D.N.Rath, Advocate

-versus-

State of Odisha and others

.... Opposite Parties

Mr. Debasis Mohapatra, SC, S&ME Department

**CORAM:
JUSTICE M.S.SAHOO**

ORDER

22.04.2022

Order No.

1. This matter is taken up by hybrid mode.
2. Petitioner has filed the present writ petition for directing the authorities to consider the representation dated 20.12.2021 marked as Annexure-13 to treat her as a recruitee/appointee of the year 2011 since she had applied pursuant to the advertisement dated 23.01.2011 but after protracted litigation, she could get appointment in the year 2013.
3. It is further submitted by learned counsel for the petitioner that in view of the judgment of this Court in W.P.(C) No. 10325 of 2011 and batch of cases, decided on 25.8.2011, the matter had attained finality and she could have given appointment immediately thereafter and the period from the date of judgment i.e. 25.8.2011 till she was issued appointment letter in the year 2013, is only attributable to the employer.
4. Learned Standing Counsel submits that since the representation has been filed by the petitioner, the authority shall dispose of the same in accordance with law in due time.

5. Having heard learned counsel for the parties and considering the nature of grievance raised in the writ petition, the writ petition is disposed of directing that the petitioner shall forward a copy of the Annexure-13 i.e. representation dated 20.12.2021 to the appropriate authority along with all relevant documents for consideration in accordance with law.

6. The authority shall do well to consider the representation of the petitioner in accordance with law as expeditiously as possible preferably within a period of three months from the date of communication of certified copy of this order along with all relevant documents.

7. The authority shall communicate the decision that would be rendered to the petitioner within two weeks.

8. The petitioner shall have the liberty to take appropriate follow up action pursuant to the order that would be passed by the authority.

9. It is needless to indicate here that if the authorities ultimately decide in favour of the petitioner, further steps may be taken to grant the benefit as the petitioner would be entitled.

10. However, it is clarified that this Court has not expressed any opinion on the merits of the case, in any manner whatsoever.

Urgent certified copy of this order be granted as per Rules.

Copy of the order be uploaded in the website.

(M.S.Sahoo)
Judge