

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.9867 of 2022

Srikanta Kumar Parida

.....

Petitioner

Dr. P. Chuli, Adv.

-Versus-

State of Odisha & Ors.

.. .. .

Opp. Parties

Mr. D. Nayak, AGA

**CORAM:
JUSTICE S. TALAPATRA
JUSTICE M.S. SAHOO
ORDER
23.09.2022**

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
 2. Heard Dr. P. Chuli, learned counsel appearing for the petitioner and also Mr. D. Nayak, learned Addl. Government Advocate appearing for the Opposite Parties.
 3. By means of this writ petition, the petitioner has urged this court for striking down the Rule 6 (9) of the Odisha Civil Service (Rehabilitation Assistance) Rules, 2020 as ultra vires.
 4. The petitioner urged for compassion appointment under the said rules to the post of Watchman with effect from 15.03.2010 in Ramachandi Mahavidyalaya, Ganamanatir, Dist-Khordha.

5. Dr. Chuli, learned counsel has submitted that in view of the development of law, the petitioner prays leave from the court for allowing him to file a fresh representation by incorporating all the relevant facts for consideration of the Opposite Party No.2, the Director, Higher Education, Odisha, At-Heads of Department Building, Bhubaneswar, Dist-Khurda.

6. To this prayer, Mr. Nayak, learned Addl. Government Advocate has not projected any opposition and as such this writ petition stands disposed of.

7. We are providing liberty to the petitioner to file a comprehensive representation by incorporating all the relevant facts that may be required to have due consideration under the Rehabilitation Rules for compassionate appointment within a period of 1 month from today.

8. The authority i.e. the Opposite Party No.2, the Director, Higher Education, Government of Odisha shall consider his representation within a period of 6 weeks therefrom.

9. Accordingly, this writ petition is disposed of.

10. There shall be no order as to costs.

(S. Talapatra)
Judge

(M.S. Sahoo)
Judge

