

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No. 12151 OF 2022

Susanta Kumar Das

**..... Petitioner
*Mr. R.D.Mohapatra, Adv.***

-versus-

State of Odisha & Ors.

**..... Opposite Parties
*Mr. P.Mohapatra, ASC***

**CORAM:
JUSTICE V. NARASINGH**

**ORDER
22.06.2022**

**Order No.
01.**

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the parties.
3. The petitioner was engaged as Gram Rozgar Sevak (GRS) of Kulasar Gram Panchayat. He is aggrieved by order dated 27.04.2022 passed by the Collector-cum-CEO, Zilla Parishad Nayagarh disengaging him from his contractual post of GRS w.e.f. 28.04.2022.
4. During course of deliberation, learned counsel for the State brought to the notice of the Court the comprehensive guidelines issued by the Government of Odisha in the Panchayati Raj and Drinking Water Department for selection and engagement of Gram Rozgar Sevak(GRS) under MGNREG.
5. It is stated at the bar that the guidelines still hold the field.

6. On perusal of the guidelines, it is seen that appeal is provided for against the order passed by the Collector-cum-CEO, Zilla Parishad to the Director, Special Project, who has been designated as the Appellate Authority.

7. The provision relating to appeal of the above guidelines is quoted hereunder for convenience of ready reference.

COMPREHENSIVE GUIDELINES FOR
SELECTION & ENGAGEMENT OF GRAM
ROZGAR SEVAK (GRS) UNDER MGNREGS.

“XX XX XX XX XX XX XX XX XX
APPEAL”

If the GRS is aggrieved on the order of the Collector-cum-CEO, Zilla Parishad, he may prefer appeal within 30 days of such order of the Collector-cum-CEO, Zilla Parishad before the Director, Special Projects who is the Appellate Authority. The Appellate Authority i.e. Director, Special Projects may give reasonable opportunity of being heard to the aggrieved GRS and dispose of the appeal within three months of receipt of the appeal under intimation to the parties. The decision of the Appellate Authority i.e. Director, Special Projects will be final and binding.”

8. As per the guidelines the impugned order being passed by the Collector-cum-CEO, Zilla Parishad, Nayagarh, appeal lies to the Director, Special Project.

9. Accordingly, it is directed that if the petitioner prefers an appeal to the Director Special Project within a period of four weeks hence, the appellate authority (Director, Special Project) shall consider the same and dispose of it within the time stipulated in the guidelines, i.e., within three months after giving reasonable opportunity as envisaged.

10. Since the petitioner bonafidely pursued the litigation before this Court, in the interest of justice and equity, it is directed that the appellate authority shall hear and dispose of the appeal on merits in the event appeal is preferred within four weeks as directed.

11. Accordingly, the writ petition is disposed of.

12. Urgent certified copy of this order be granted as per rules.

(*V.Narasingh*)
Judge

Dhal

