

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.249 of 2015

Rajani Sethi

....

Appellant

Mr. Kaliprasanna Mishra, Senior Advocate

-versus-

State of Orissa and others

....

Respondents

Mr. Ishwar Mohanty, ASC and

Mr. Sambeet Pattanayak, Advocate for Respondent No.4

CORAM:

THE CHIEF JUSTICE

JUSTICE CHITTARANJAN DASH

Order No.

ORDER
26.09.2022

04

1. The present appeal is directed against an order dated 27th April, 2015 passed by the learned Single Judge dismissing the Appellant's W.P.(C) No.23366 of 2013 whereby the Appellant had challenged the selection of Respondent No.4 herein as Anganwadi Helper (AWH) for Gosinga Anganwadi Centre (AWC) under CDPO, Astaranga.

2. This Court has heard the Submissions of Mr. Kaliprasanna Mishra, learned Senior Counsel appearing for the Appellant and Mr. Sambeet Pattanayak, learned counsel for Respondent No.4.

3. A perusal of the impugned order reveals that no reasons have been given by the learned Single Judge for rejecting the writ petition except noting that pursuant to the direction issued by the Appellate Authority for a fresh selection, Respondent No.4 had

been selected. In other words, the merits of the writ petition had not been discussed at all.

4. Considering that this was the first level of challenge, it was necessary for the learned Single Judge to have examined the merits of the writ petition and passed an order after dealing with the contentions raised by the parties.

5. On that short ground, the impugned order dated 27th April, 2015 of the learned Single Judge is hereby set aside and W.P.(C) No.23366 of 2013 is restored to the file of learned Single Judge in the roster Bench. It will be listed there on 5th December, 2022. In the meanwhile, the counter affidavits of all the Opposite Parties in the writ petition should be filed positively on or before 30th November, 2022 and rejoinder thereto, if any, be filed before 5th December, 2022. No further time will be granted for that purpose.

6. The learned Single Judge is requested to dispose of the writ petition as expeditiously as possible.

7. The appeal is disposed of in the above terms.

(Dr. S. Muralidhar)
Chief Justice

(Chittaranjan Dash)
Judge

M. Panda