

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.16805 of 2022

Prabhasini Baitharu

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

22.07.2022

Order No

02.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard Mr. A.K. Sahoo, learned counsel for the Petitioner and learned counsel for the State-Opposite Parties.

3. The Petitioner has filed the present Writ Petition with the following prayer:

“ Under the circumstances, it is therefore humbly prayed that, this Hon’ble Court may graciously be pleased to allow the writ petition; And a writ in the nature of mandamus may be issued directing the Opp. Party No.2 reserve posts for the Persons with Disabilities more particularly visual impact (VI) category candidates in the Advertisement and to give the appointment accordingly;

And any other further order as would deem fit and proper be also passed;

And for this act of kindness the petitioner as in duty bound shall ever pray.”

4. It is submitted that in the advertisement issued by the O.P. No. 2- Commission under Annexure-3, there is no provision to select candidates in PH category, which is in violation of the guideline

issued by the Govt. It is also submitted that the Petitioner though has submitted her application pursuant to the said advertisement, but the Petitioner being a PH candidate, her chance of selection will be more, if some reservation is made for such PH candidates.

5. Considering the prayer made in the writ Petition and the submission made by Mr. Sahoo, this Court while disposing the writ Petition, permits the Petitioner to move O.P. No. 2 by making a detailed representation with regard to her claim for making provisions for reservation in favour of PH candidates.

6. It is observed that if such a representation is filed within a period of seven (7) days from today, the said O.P. No. 2 shall take a lawful decision on the same within a further period of two (2) weeks. The O.P. No. 2 while taking such a decision shall follow the guideline issued by the Govt. with regard to reservation of post for PH candidates.

7. The writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha