

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 18397 of 2022

Pravati Parija

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

05.08.2022

Order No

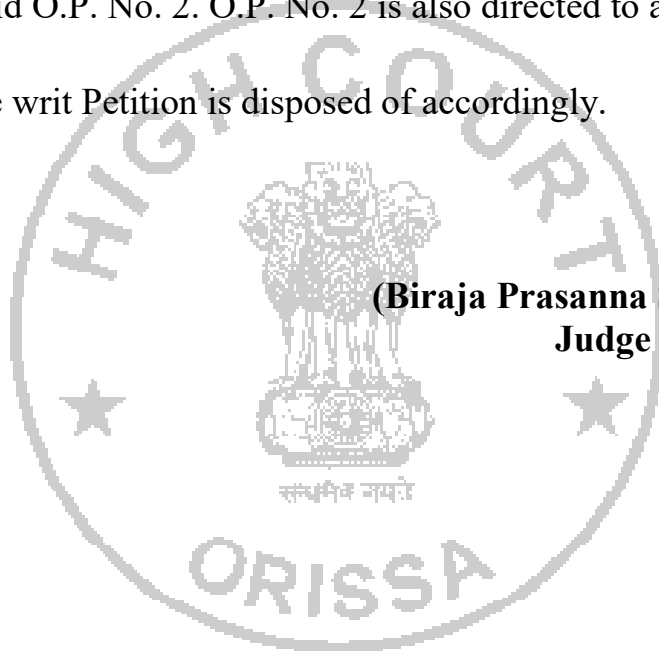
- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. S. Choudhury, learned counsel for the Petitioner and Mr. Choudhury Satyajit Mishra, learned AGA appearing for the Opp. Parties.
3. The Petitioner is aggrieved by the order dtd.03.06.2022 passed by the Commandant, Home Guards under annexure-9, wherein the prayer of the Petitioner for re-engagement has been rejected on the ground that the State Govt. has stopped the recruitment of Home Guards.
4. It is submitted that the Petitioner was working as a Home Guard earlier and on attaining the age of 60 years, she has been disengaged from her service. Mr. Choudhury, learned counsel for the Petitioner submitted that as per Rule 9 of the Odisha Home Guards Rules, 1962 there is a provision that the Commandant General may relax the age in suitable cases. It is submitted that as

the Petitioner is a widow having no source of income, the Commandant, Home Guards-O.P. No. 2 while taking a decision on the Petitioner's claim has not considered that aspect.

5. Therefore, this Court is of the opinion that the said O.P. No. 2 is to take a fresh decision taking into consideration the relevant rule provided under Rule 9 of the Odisha Home Guards Rules, 1962. Such a fresh decision shall be taken within a period of one month from the date of receipt of this order. The Petitioner is permitted to move the said O.P. No. 2 and produce a copy of this order before the said O.P. No. 2. O.P. No. 2 is also directed to act on the same.

6. The writ Petition is disposed of accordingly.

Sneha



(Biraja Prasanna Satapathy)
Judge