

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAC) No.2581 of 2008

Sangram Malick

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
23.09.2022

Order No

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

2. Heard Mr. G.R. Sethi, learned counsel for the Petitioner and Mr. B. Panigrahi, learned ASC appearing for the Opp. Parties.

3. The present writ Petition has been filed with the following prayer:-

“i) To quash the selection of Respondent No. 4 selected against Home Guard category.

ii) To direct the respondents to select and appoint the applicant as constable under Homeguard category with effect from the date when others have got appointment in pursuant to selection under Annexure-5 with all benefits.

iii) To direct the respondents to fill up remaining 5 posts reserved for home guards from selected Homeguard candidates.

iv) And pass such other order/orders as may be deemed fit and proper for the interest of justice.”

4. It is submitted that the issue involved in the present writ Petition is squarely covered by a decision of the learned Tribunal passed on 28.01.2016 in O.A. No.677(C) of 2014 vide Annexure-8 to the writ Petition.

5. Mr. Sethi further submitted that the said order passed by the learned Tribunal in the meantime has been implemented by the Opp. Parties. Taking into account such submission the present writ Petition is disposed of in the light of the order passed by the learned Tribunal on 28.01.2016. O.P. No. 3 is directed to take consequential action in terms of the said order passed by the learned Tribunal on 28.01.2016 in respect of the present Petitioner within a period two (2) months from the date of receipt of this order.

6. The writ Petition is disposed of with the aforesaid observation and direction.

(Biraja Prasanna Satapathy)
Judge

Sneha

