

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 19449 of 2016

Pallabi Nayak and others

.....

Petitioners

Ms. D. Mahapatra, Advocate

Vs.

State of Orissa and others

.....

Opposite parties

Mr. B.K. Patnaik, Advocate

(O.Ps. 4 and 5) &

Mr. J.K. Lenka, Advocate

CORAM:

DR. JUSTICE B.R. SARANGI

MR JUSTICE B.P. SATAPATHY

ORDER

28.11.2022

W.P.(C) Nos.19449, 19443, 19445 & 21758 of 2016

Order No.

38

This matter is taken up through hybrid mode.

2. None appears for the petitioners in the above noted cases at the time of call. Earlier this Court vide order dated 22.03.2022 passed the following order:

“This matter is taken up through hybrid mode.

In course of hearing, the question came up for consideration that under Rule-8(1) of the Orissa non-Gazetted Veterinary Technical Service (Recruitment and conditions of Service) Rules, 1983, the power had been vested with the Director of Animal Husbandry, Dairy and Veterinary Services to be the Chairman of the Selection Board, but the same has undergone amendment giving power to the Collector & District Magistrate of the respective districts to be the Chairman. However in the present case instead of the Collector & District Magistrate, the selection process has been conducted by the Additional District Magistrate (ADM). Whether such a power can be delegated to the ADM, when the statute prescribes the District Magistrate as the Chairman and he has to go for selection? Miss. D. Mahapatra, learned counsel for the petitioners seeks some time to satisfy this Court on this score.

3. *Call this matter along with its connected matters after four weeks”.*

Thereafter, when the matter was listed on 19.09.2022, this Court passed the following order:

“This matter is taken up through hybrid mode.

2. When the matter is called, petitioner no.4, namely, Sangita Sethy and petitioner no.6-Tapaswini Mallick appeared in person and contained that the counsel engaged by them returned the file, and, as such, nobody is willing to take up the case record at this stage. They further contended that so far as other petitioners are concerned

namely, Pallabi Nayak, manasmini Pradhan, Mousumi Behera and Kanhu charan Pradhan, being petitioner Nos.1, 2, 3 and 5, could not come to the Court today due to their personal difficulties. But fact remains, this Court vide order dated 22.03.2022 has put certain questions to learned counsel for the petitioners to answer the same on the next date. Therefore, it is open to the petitioners to approach the Legal Aid Authority to engage the counsel on their behalf or they may do the case themselves.

3. By giving the aforesaid opportunity, the matter is adjourned for two weeks”.

3. As it appears, neither the petitioners nor the counsel appearing on behalf of them have complied with the aforesaid orders in spite of opportunity given.

4. Accordingly, the writ petitions stand dismissed for non-prosecution.

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE