

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.23180 of 2022

Kanhu Charan Sahu & Anr. *Petitioners*
Mr. Santosh Kumar Mohanty, Adv.
-versus-

State of Odisha and Anr. *Opposite Parties*
Mr. Biswajit Mohanty, SC
(for S & ME Deptt.)

CORAM:

DR. JUSTICE S.K. PANIGRAHI

Order

No.

ORDER

10.10.2022

01. 1. This matter is taken up through hybrid arrangement.
2. Heard learned counsel for the parties.
3. In this Writ Petition, the Petitioners seek a direction from this Court to the Opposite Parties to appoint them as Hindi Teachers against the remaining vacancies in respect of UR and SEBC categories as per their merit list, as after exhausting the list, the Petitioners' merit position will be at Serial Nos.1159 and 1256 respectively against the remaining vacancies since the selection process is going on pursuant to the Advertisement dated 23.12.2021 issued by the Opposite Party No.2/ Director, Secondary Education, Odisha, Bhubaneswar.
4. Learned counsel for the Petitioners submits that the Petitioners applied for the post of Initial Appointee

Teachers (TGT-Arts) pursuant to the Advertisement dated 23.12.2021 issued by the Opposite Party No.2/ Director, Secondary Education, Odisha, Bhubaneswar. Their names found place in the draft merit list at serial Nos.1159 and 1256 respectively in respect of SEBC category, yet engagement orders have not been issued in their favour although vacancies are there against U.R. and SEBC categories as some of the candidates who have finally selected did not join in their respective posts and in the meantime, some of the appointed candidates have left their jobs on being got better jobs. Therefore, the Petitioners are constrained to approach this Court.

5. Learned Standing Counsel for the Department of School and Mass Education submits that earlier similar issue was raised before this Court in W.P.(C) No.12636 of 2022 (Lalatendu Mishra & Ors. –vrs.- State of Odisha and Ors.) and other two cases and this Court vide common judgment dated 21.07.2022 decided the issue by dismissing all the said Writ Petitions. Hence, he submits that this Writ Petition may be disposed of in the light of the common judgment dated 21.07.2022 passed in W.P.(C) No.12636 of 2022 (Lalatendu Mishra & Ors. –vrs.- State of Odisha and Ors.) and other two cases (supra).

6. On perusal of the records and the common judgment dated 21.07.2022 passed in W.P.(C) No.12636 of 2022 (Lalatendu Mishra & Ors. –vrs.- State of Odisha and Ors.) and other two cases (supra), it appears that similar issue has already been decided by this Court in the said judgment. The ordering portion of the said judgment is as follows.

“V. Conclusion and order:

37. In the circumstances, having regard to the principles enunciated in the various authorities cited above, I have no hesitation in coming to the conclusion that the petitioners cannot be granted any relief in these Writ Petitions and the present Writ Petitions are liable to be dismissed, being devoid of merit.

38. Accordingly, in view of the above, all pending I.As. also stand disposed of.

7. In such view of the matter, this Writ Petition is disposed of being dismissed in the light of the common judgment dated 21.07.2022 passed in W.P.(C) No.12636 of 2022 (Lalatendu Mishra & Ors. –vrs.- State of Odisha and Ors.) and other two cases (supra).

(Dr. S.K. Panigrahi)
Judge

B.Jhankar