

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.28536 of 2021

Dhananjay Mallik

....

Petitioner

Mr. Achyutananda Routray, Advocate

-versus-

***Food Corporation of India, New
Delhi and another***

....

Opposite Parties

Mr. Debasis Nayak, Advocate for OP No.2

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

30.03.2022

Order No.

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

2. This Writ Petition involves the following prayer :-

“In the circumstances, it is, therefore, prayed that this Hon’ble Court may graciously be pleased to call upon the Opp. Parties to show cause as to why the writ application shall not be allowed and as to why the Opp. Parties specially Opp. Party No.3 shall not be directed to take a final decision in the matter of giving appointment to the candidates from the waiting list to the post of Watchman in pursuance to advertisement in Annexure-1 within a specified time and in case the Opp. Parties fail to show cause or show insufficient cause then to allow the writ application;

i) And issue a direction to Opp. Party No.3 to take a final decision to fill up the vacancies out of waiting list of candidates for the post of Watchman specially petitioner within a specified time;

And pass any other order/orders direction/directions may deem fit and proper pass in favour of the petitioners...”

3. Considering the validity of the Waiting List and upon pleading as well as counter statement, there remains no dispute that

the Waiting List still remains valid. It appears, the appointment order involving the Petitioner could not be issued for their raising an issue involving the signature of the Petitioner, which has already been sent for necessary examination to the Central Forensic Science Laboratory. This Court finds, the correspondence was made to the Central Forensic Laboratory as back as on 5.1.2021. Considering that the Petitioner is a Waiting List candidate and is waiting for employment, further in order to see that the Waiting List does not get lapsed, this Court in disposal of the Writ petition directs O.P.2, General Manager (Region), Khadya Bhawan, Bhubaneswar to expedite the issue on signature verification with the Central Forensic Science Laboratory so as to get outcome in their dispute within a period of one and half months from the date of communication of this order. This Court also clarifies that in the event there is no outcome taking place within one and half months, it will be open to O.P.2 to issue appointment order in favour of the Petitioner but that will be subject to however the ultimate outcome involving the query or the dispute raised by the Corporation.

4. Issue urgent certified copy of this order as per rules

(A.K. Mohapatra)
Judge