

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**WP (C) No.24144 of 2022**

***Sahadev Bag***

***....***

***Petitioner***

*Mr. K.C. Dash, Advocate*

***-Versus -***

***State of Odisha and others***

***Opposite Parties***

***....***

*Mr. N.K.Praharaj,  
Additional Government  
Advocate*

**CORAM:**

**JUSTICE SASHIKANTA MISHRA**

**ORDER**

**27.09.2022**

**Order No.**

**1.**

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner has approached this Court seeking the following relief:-

*“It is therefore prayed that your lordship may be pleased to consider the fact stated in this petition, admit the same, issue notice to Ops. calling upon them to file show cause as to why the prayer made in this writ petition shall not be allowed. If they fail to show cause or show insufficient cause then this writ petition may be allowed by granting following relief (s)*

*1. A writ of mandamus be issued directing the Opp. Party authorities more particularly OP-3, i.e., the Collector, Nuapada to take immediate steps to approve the post of petitioner as PDS Sale Assistant/Jagan Sahayak in Litiguda Gram Panchayat pursuant his*

*engagement made by the concerned authority since long.*

*2. And further direction may be issued directing the Opp. Party No.3, i.e., the Collector, Nuapada to consider and dispose of his representation with regard to his engagement as PDS Sale Assistant/Jogan Sahayak under Annexure-5 series by taking account of Annexures- 1 to 4 within time frame.*

*3. And/or pass such other order/orders, direction/directions, writ/writs as your Lordship thinks just and proper and for this they shall ever pray.”*

4. It is stated that because of non-performance of the duties one Keshab Chhadria was appointed as the Jogan Sahayak of Litiguda Gram Panchayat in the district of Nuapada. The Gram Panchayat in its resolution dated 30.01.2014 resolved to appoint the petitioner as the PDS Sale Assistant in his place. Accordingly, the Sarapanch submitted the recommendation to the BDO vide letter dated 21.11.2016. The BDO forwarded the same to the District Panchayat Officer by letter dated 01.12.2016. The District Panchayat Officer appears to have forwarded the proposal to the Director, Panchayati Raj Department, Odisha, Bhubaneswar (opposite party No.6) by his letter dated 12.04.2017. It is stated that the matter is pending with the Director without any further action being taken thereof.

5. Considering the limited nature of grievance of the petitioner and the fact that decision in the matter is to be taken by the Director, Panchayati Raj at the first instance, without expressing any opinion on the merit of the case, the writ petition is disposed of with a direction to the Director, Panchayati Raj Department, Odisha (opposite party No.6) to take a decision in the matter within a period of four weeks from the date of communication of this order

or on production of certified copy thereof by the petitioner.

6. The writ petition is accordingly disposed of.

7. Urgent certified copy of this order be granted on proper application.

***(Sashikanta Mishra)***  
***Judge***

*B.C. Tudu*

