

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.24792 of 2022

Sarat Chandra Beher

....

Petitioner

-versus-

State of Odisha & Others

....

Opp. Parties

COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
23.9.2022

Order No

- 2.** 1. This matter is taken up through Hybrid Mode.
2. Heard Mr. B.K. Behera-1, learned counsel for the petitioner and Mr. A.P. Das, learned A.S.C.
3. The present writ petition has been filed with the following prayer.

“As to why the opp. parties more particularly the Settlement Officer, Opp. Party No.5 shall not be directed to give an appointment order to the petitioner for the post of Group-“C” instead of Group-“D” under Rehabilitation Assistance Scheme, as per provisions of Odisha Civil Service (Rehabilitation Assistance) Amendment Rules-2016, being the appointing authority as per the judgment passed by the Hon’ble Apex Court in Malay Nanda Sethi Vrs. State of Orissa and others, in Civil Appeal NO.4103 of 2022.”

4. It is submitted that the father of the petitioner though died on 4.10.1998 and the petitioner made his application for appointment under the provisions of R.A scheme, but the same is kept pending. It is further submitted that on the persuasion made by the petitioner, Opp. Party No.5

vide his letter dated 10.8.2022 under Annexure-9 has forwarded the claim of the petitioner to the Government for taking a final decision on the claim of the petitioner for his appointment under the said Scheme. It is submitted that though Opp. party No.5 has referred the matter to the Government since 10.8.2022, but till date, no decision has been taken by Opp. party No.1.

5. Therefore, while disposing the Writ Petition, this Court directs Opp. party No.1 to take a decision on the recommendation made under Annexure-9 within a period of two months from the date of receipt of this order. The result of such exercise shall be intimated to the petitioner within that time.

(Biraja Prasanna Satapathy)
Judge

Sangita