

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.25578 of 2022

Pratima Sahoo

....

Petitioner

**Mr. S.K.Dalai
Advocate**

-versus-

State of Odisha & others

....

Opposite Parties

**Mr. B.P.Tripathy,
Addl. Govt. Advocate**

CORAM:

JUSTICE SASHIKANTA MISHRA

**ORDER
28.9.2022.**

Order No.

01.

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

“It is, therefore, humbly prayed that this Hon’ble Court may graciously be pleased to admit the writ petition, issue rule nisi calling upon the opposite parties to show cause as to why the impugned order dated 8.9.2022 under Annexure-7 series,8

and 9 issued by the Collector, Nayagarh shall not be quashed declaring the same as illegal arbitrary, mala fide and without authority and why the petitioner shall not be permitted to continue to discharge her duties as Grama Rozgar Sevak (Multipurpose Assistant) in her Home Grama Panchayat i.e. Baunsabati in Bhapur Block under Nayagarh District with all assignments in the facts and circumstances of the case..”

4. It is submitted that a show cause notice has been issued by the Collector, Nayagarh (Opposite Party No.2) dated 8th September, 2022, but the same is yet to be served upon the Petitioner. The Petitioner was able to get a copy of the said show cause notice as she is purportedly in charge of uploading all the documents and correspondences being the Gram Rozgar Sevak (GRS), which itself is highly surprising. Nonetheless, in the said show cause notice, the Block Development Officer, Bhapur (Opposite Party No.4) has been directed to serve the show cause notice on the Petitioner and to submit the served copy thereof duly acknowledged to the Opposite Party No.2 for the further action. The Opposite Party No.4 by letter dated 19th September, 2022 has forwarded a representation of the Petitioner dated 19th August, 2022 to the Opposite Party No.2.

5. It is submitted by the learned counsel for the Petitioner that this is in purported compliance of the order passed by the Opposite Party No.2 to the Opposite Party No.4 to serve the show cause notice dated 8th September, 2022. By such action, the Opposite Party No.2 may consider the representation dated

19th August, 2022 as reply of the Petitioner to the show cause issued by him. This Court is unable to appreciate the above argument, inasmuch as the show cause notice itself being dated 8th September, 2022, there is no reason to believe that the Opposite Party No.2 shall treat the reply given by the Petitioner on 19th August, 2022 as being a reply to the show cause notice issued on 8th September, 2022.

6. Be that as it may, since there is evidence that a show cause notice has been issued to the Petitioner on 8th September, 2022, the Writ Petition is disposed of directing the Opposite Party No.2 to ensure that the said notice is duly served upon the Petitioner and she is granted an opportunity to submit her reply to the same. It goes without saying that any action taken shall be in accordance with law.

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

AKB

(Sashikanta Mishra)
Judge