

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.1328 of 2018

D. Itishree Dora

....

Petitioner

Mr. Prashant Ku. Satpathy, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. K.K. Swain, ASC for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

28.03.2022

Order No.

02. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. The present writ petition has been filed by the Petitioner with a prayer to direct the Opposite Parties to publish the result of the selection to the post of Supervisor in Cuttack District which includes the present Petitioner and issue appointment order for the said post in her favour within a stipulated period.
4. The factual backdrop of the case of the Petitioner is that the Petitioner, who is a physically handicapped lady is having requisite qualification for the post of Supervisor under the Women & Child Development Department, Govt. of Odisha. The Odisha Sub-ordinate Staff Selection Commission on 19.12.2016 issued an advertisement for selection for the post of Supervisor (contractual) for different districts. As per the advertisement, the eligibility criteria for the Supervisor post was fixed and under which, the age of the candidate must be between 21 years to 32 years. Further, as

these posts are meant for women only, the age relaxation of five years meant for women candidates shall also be applicable in this case. But for Anganwadi Worker 5 years age relaxation shall be allowed. In the said advertisement, reservation in respect of physical challenged candidates is also allowed. The Petitioner appeared in the selection process and she was provisionally selected by the Staff Selection Commission. The provisional selection list under Annexure-3 indicates the name of the Petitioner at Serial No.18 (Page No.23 of the brief). Although she was selected provisionally but her result was withheld on the ground that she was unable to produce the permanent PWD Certificate. Thereafter, the present Petitioner submitted a representation along with a copy of the PWD Certificate to the Collector, Cuttack on 14.03.2018. It is further submitted by learned counsel for the Petitioner that the representation under Annexure-7 was forwarded to the Secretary, Orissa Subordinate Staff Selection Committee, Bhubaneswar for consideration. But no decision has been taken on the said representation of the Petitioner as of now.

5. Counter Affidavit on behalf of Opposite Party Nos.1, 3 and 4 has been filed. In paragraph-7 of the said counter affidavit it has been stated as under:

“7. That in reply of the averment made in this paragraph-6(9), it is to state that the permanent PWD Certificate along with representation submitted by the Petitioner has been forwarded to the OSSSC, BBSR for necessary consideration, as discussed in Para-6.7 supra. Instruction of the OSSSC is awaited for taking further step at this end.”

6. In the said counter affidavit it has also been stated that awaiting further step at their end, the Authority did not take any action. In such view of the matter learned counsel for the State submits that the Orissa Subordinate Staff Selection Commission may be directed to consider the matter expeditiously and upon which, final decision shall be taken by the Collector, Cuttack.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court disposes of the present writ petition with a direction to the Opposite Party No.2 to consider the representation filed by the Petitioner forwarded to the Collector, Cuttack, Opposite Party No.3 under Annexure-B/4 vide letter dated 17.04.2018 from the District Office, Cuttack within a period of four weeks from the date of production of certified copy of this order. In the event the Permanent PWD Certificate is found to be genuine, the Petitioner's candidature may be further processed and she may be given appointment pursuant to the advertisement under which she had appeared in the examination and got provisionally selected. The entire exercise shall be completed within a period of two months.

8. With the above direction, the Writ Petition stands disposed of.

9. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge