

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.28001 of 2022

Chandrama Biswal

.... Petitioner

Mr. B.B. Mishra, Advocate

-versus-

1. State of Odisha

2. Collector, Balangir

3. Sub-Collector, Balangir

**4. Block Development
Officer, Loisingha**

**5. Sarpanch, Ratakhandi
Gram Panchayat**

.... Opp. Parties

*Mr. Saswat Das,
Addl. Government Advocate*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
10.11.2022**

Order No.

01. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Heard learned counsel for the petitioner and learned counsel for the State.

In this writ petition, the petitioner Chandrama Biswal has prayed to quash the notification dated 15.10.2022 under Annexure-6 issued by the opposite party no.4 Block Development Officer, Loisingha for inviting applications from the interested candidates for

engagement as Jogana Sahayak of Ratakhandi Gram Panchayat under Loisingha block of Balangir district.

Learned counsel for the petitioner submitted that the husband of the petitioner, namely, late Manoj Biswal was selected as Jogana Sahayak by the opposite party no.4 and he joined on 19.11.2014 and continuing as such till he died on 11.08.2022. It is further submitted that even though the Sarpanch of Ratakhandi Gram Panchayat and other members taking into account the eligibility criteria of the petitioner so also her financial condition unanimously recommended the case of the petitioner for her engagement as Jogana Sahayak but the opposite party no.4 without considering the same has issued the notification dated 15.10.2022. Learned counsel further submitted that compassionate appointment should have been given to the petitioner as Jogana Sahayak.

Learned counsel for the State, on the other hand, submitted that there is no such provision or any guideline of the Government to engage the widow of a deceased Jogana Sahayak in his place and since fresh advertisement has already been issued and if the petitioner has got the eligibility criteria, she can very well apply for the same and if she is duly selected, then she will join the post and perform her duties.

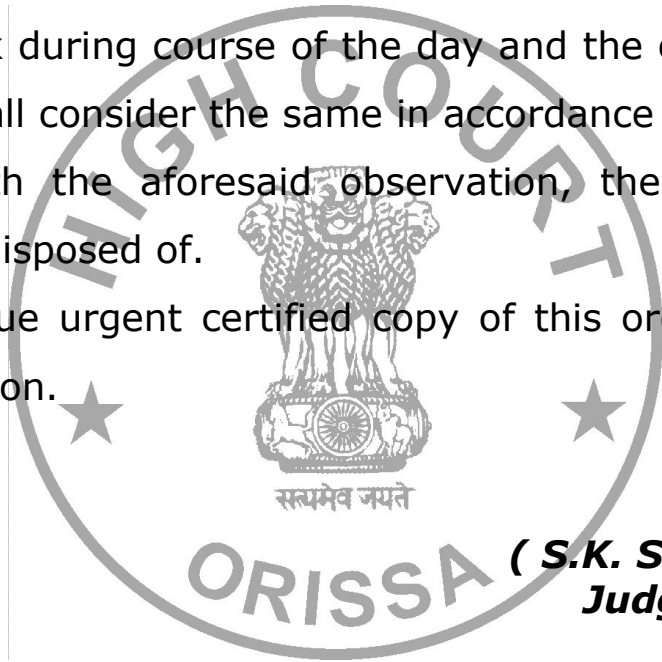
Since from Annexure-6, it reveals that the last date of submission of application is fixed to today, when a

query was made to the learned counsel for the petitioner as to whether the petitioner has applied for the same or not, he answered in negative.

In view of the state of affairs, since fresh application for engagement as Jogana Sahayak has been invited, I do not find any illegality or impropriety in the action of opposite party no.4 in issuing the impugned notification under Annexure-6. Accordingly, no relief can be granted to the petitioner in this writ petition. The petitioner is at liberty to apply for the post of Jogana Sahayak during course of the day and the opposite party no.4 shall consider the same in accordance with law.

With the aforesaid observation, the writ petition stands disposed of.

Issue urgent certified copy of this order on proper application.



(S.K. Sahoo)
Judge