

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 421 of 2015

Upendra Naik

....

Petitioner

Mr. P.K.Rath, Advocate along
with Mr.P.K.Basantia, Advocate

-versus-

State of Odisha and others

.... ***Opposite Parties***

Mr. S.N.Patnaik, AGA

**CORAM:
JUSTICE M.S.SAHOO**

**ORDER
22.06.2022**

Order No.

2.

1. This matter is taken up by hybrid mode.
2. The writ petition has been registered before this Court on 17.12.2021 after the Original Application was transferred upon abolition of the learned Odisha Administrative Tribunal, Cuttack Bench, Cuttack.
4. On perusal of the available order sheets of the learned Tribunal it is indicated that notices were issued on 12.2.2015 and the matter was never taken up/pursued after 2.5.2017.
5. It is submitted by learned counsel for petitioner that the petitioner was disengaged while continuing as Driver in the particular scheme, i.e., Janani Surakha Yojana.
6. It is further submitted that as per letter dated 7.1.2015 (Annexure-5) from the office of the Chief District Medical Officer-cum-District Mission Director, Sundargarh, the petitioners may be considered for any future engagement against any available suitable vacancy as permissible under law.
7. Learned counsel for the petitioner refers to aforesaid letter dated 7.1.2015 (Annexure-6); “.....again considering the

year of services rendered by the drivers to the department you are requested to consider sympathetically their case on priority basis for any opportunity arises for engagement under their administration newly on daily wage basis or through outsourcing agency with maintaining all due procedure for fresh engagement.”

8. Learned AGA fairly submits that in case any further requirement of engagement as Driver, the petitioner may be considered without any further equity being claimed by him.

9. Having heard learned counsel for the parties, the writ petition is disposed of directing that the authorities shall consider the case of the petitioner, in view of their past experience as vehicle driver whenever they require to engage any driver in any scheme in accordance with law.

10. The writ petition is disposed of accordingly.

11. Urgent certified copy of the order may be granted on proper application.

12. The copy of the order be uploaded in the official website.

(M.S.Sahoo)
Judge

dutta