IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.C(OAC) No.1489 of 2015

Mihir Kumar Sahu .... **Petitioner**

-versus-

State of Odisha & others .... **Opposite Parties**

COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

Order No **5.7.2022**

2. **1.** This matter is taken up through Hybrid Mode.

2. Heard Mr. J.K. Digal, learned counsel for the Petitioner and Mr. Mishra, learned counsel for the State.

3. The petitioner has filed the present writ petition for the following relief.

> *" to quash the order passed by the Respondent No.1 vide Annexure-6 to the Original Application and be pleased to direct the Respondents to appoint the Application the post of gardeners, which has been renamed as Village Horticulture Workers/Horticulture Extension workers without any further delay and to extend the consequential service benefits to the applicants."*

4. Mr. Digal, learned counsel for the petitioner submitted that the similar issue has been decided by the learned Tribunal vide order dated 6.2.2015 passed in O.A. No.1124 of 2013. It is submitted that similar order of rejection has been quashed by the learned Tribunal in the aforesaid decision. This Court vide order dated 22.6.2022 had also directed to the State counsel to obtain instruction with regard to the stand taken by the petitioner regarding quashing of the impugned order by the

learned Tribunal in the aforesaid case. It is submitted by Mr. Mishra that similar order has been quashed by the learned Tribunal.

5. In view of such stand taken by the learned counsel for the parties, the prayer made in the writ petition is allowed and the authorities are directed to take follow-up action as has been directed by the learned Tribunal in the aforesaid case. The entire exercise shall be completed within a period of three months from the date of receipt of this order.

6. With the aforesaid observation and direction, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

sangita

HIGH COURT ORISSA