

IN THE HIGH COURT OF ORISSA AT CUTTACK

RVWPET Nos.201 and 202 of 2021

Ramesh Chandra Mohapatra ***Petitioners***
(In RVWPET No.201 of 2021)

Susil Ray
(In RVWPET No.202 of 2021)

M/s. Manoranjan Mishra, Advocate and associates
-versus-

State of Odisha and others ***Opposite Parties***
Mr. P.K. Muduli, A.G.A. for the State

CORAM:
THE CHIEF JUSTICE
JUSTICE B.P. ROUTRAY

ORDER
05.08.2022

Order No.

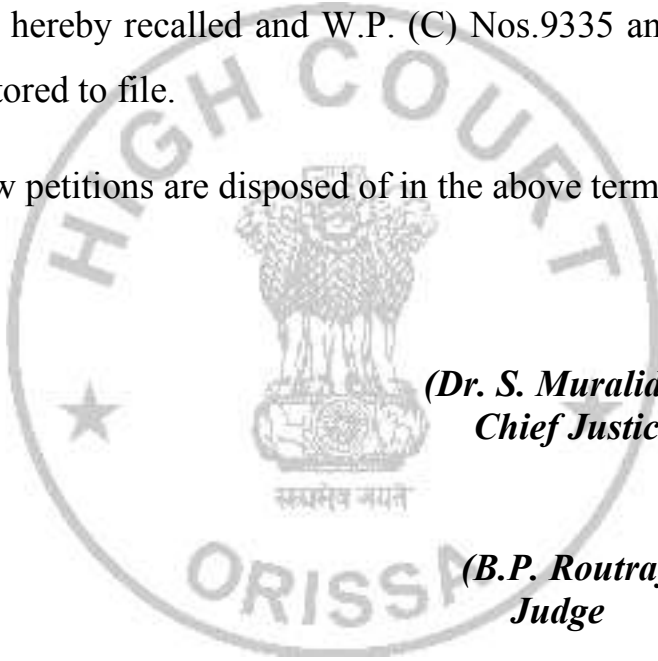
02. 1. Both these review petitions by the respective Writ Petitioners seek recall/review of a judgment dated 7th September 2021 passed by this Court dismissing the writ petitions i.e., W.P.(C) Nos.9335 and 23062 of 2016 respectively.
2. For the purpose of the present review petitions, it is sufficient to notice that the Court proceeded on the submissions of the State as noted in para 5 of the judgment that “no person junior to the Petitioners have been accommodated yet”. Again, in para 8, the Court noted that “Before this Court, the Petitioners also do not dispute that any similarly situated person junior to them in the list have been accommodated for appointment.”
3. Having heard learned counsel for the parties and having examined the pleadings both in the present review petitions as well

as in the writ petitions and in particular, the rejoinder which sets out the details regarding three persons, junior to the present Petitioners, who have been reinstated, the Court is of the view that the factual basis on which the order of this Court proceeded was different from what was projected before this Court.

4. Consequently, the Court is of the view that sufficient grounds exist for recall and review of its order.

5. Accordingly, the judgment dated 7th September 2021 passed by this Court is hereby recalled and W.P. (C) Nos.9335 and 23062 of 2016 are restored to file.

6. The review petitions are disposed of in the above terms.

The seal of the Orissa High Court is a circular emblem. It features the Ashoka Lion Capital in the center, with the motto 'Satyameva Jayate' in Devanagari script below it. The words 'HIGH COURT' are written in an arc at the top, and 'ORISSA' is written in an arc at the bottom. A five-pointed star is positioned on the left side of the seal.

(Dr. S. Muralidhar)
Chief Justice

(B.P. Routray)
Judge

S.K. Guin