IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 3017 of 2015

Sanjukta Das .... ***Petitioner***

Mr. A.K. Parida on behalf of Mr. Brahmananda Tripathy, Advocate

-versus-

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

Mr. Pusparaj Bharadwaj, ASC for O.Ps. 1 to 5

None for O.P. No.6

CORAM:
JUSTICE M.S. SAHOO

ORDER

Order No. **07.07.2022**

01. 1. This matter is taken up through hybrid mode.

2. The writ petition has been registered before this Court on 21st December, 2021, after the original application was transferred from the learned Odisha Administrative Tribunal, Cuttack Bench, Cuttack upon its abolition.

3. On perusal of the available order-sheets of the learned Tribunal, it is indicated that notices were issued on 21.01.2016 and the matter was not taken up/pursued after 24.04.2017.

4. The applicant before the learned Tribunal filed the O.A in the year 2015 inter alia praying for a direction against Opposite Party No.6 as, according to the applicant O.P. No.6 got appointed illegally/irregularly. The cause of action for the applicant to be aggrieved by the appointment of Opposite Party No.6 is not stated nor anything is mentioned as to how the applicant is affected/impacted.

5. Referring to Annexure-5 dated 29.09.2014 i.e. a petition by the petitioner addressed to the Principal Secretary, Agriculture, Govt. of Odisha, it is submitted by the learned ASC

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that though it runs to eight pages it can be termed to be full of eloquence but without any substance inasmuch as how the petitioner is aggrieved by the so called illegal/irregular appointment of opposite party no.6 is not mentioned. It is submitted that the language used in entire petition indicates that the petitioner has some personal grudge against opposite party no.6 that the petitioner wants to satisfy by filing petition.

6. It is needless to emphasise that if there is any violation of any guidelines or rules by appointing the petitioner, the appropriate authority shall take action in accordance with law that would lead to its logical conclusion but the learned OAT could not have been made a party to such personal issue of the petitioner with opposite party no.6.

7. Having heard learned counsel for the petitioner as well as learned ASC, the writ petition is dismissed being devoid of any merit.

8. However, considering the nature of allegations made in the writ petition as a matter of abundant caution, it is indicated that this Court by the present order has not expressed any opinion regarding appointment/engagement of opposite party no.6 as gardener nor the allegations made in the petition by the petitioner.

HIGH COURT ORISSA

(M.S. Sahoo)
Judge