

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.C. (OAC) No.1912 of 2016

Sushantini Paik and Others

....

Petitioners

None

-versus-

State of Orissa and Others

....

Opposite Parties

Mr. M.K. Khuntia, AGA

CORAM:

JUSTICE M.S. RAMAN

ORDER

08.08.2022

Order No.

04.

1. This matter is taken up through virtual/physical mode.
2. The Original Application No.1912 of 2016 (C) was filed before the State Administrative Tribunal, Cuttack Bench, Cuttack. After its abolition, the same has been transferred to this Court which is renumbered as WPC (OAC) No.1912 of 2016.
3. The learned State Administrative Tribunal has passed the following order dated 16.05.2016:-

“Heard Mr. S.C. Mekap, learned counsel for the applicants and Mr. B. Pujari, learned Govt. Advocate.

As the grievance and the reliefs sought for by the applicants is one and same, the joint applications are allowed as per Rule 4 (4) (a) of the O.A.T. (P) Rules P.P. is disposed of. Register as O.A.

The applicant has challenged the order of the Government vide letter No.6545 dated 02.04.2016 for creation of 6826 nos. of paramedic posts and to discontinue the service of the employees appointed against 10,301 paramedic posts created vide govt. order dated 07.06.2013. The applicant has also challenged the advertisement for recruitment to those posts on contractual basis. It is submitted to quash those orders and as an interim measure to allow the applicants to continue in their posts and to stay the advertisement.

Learned Govt. Advocate submitted that no order has yet been issued by the Government terminating the service of the applicants, for which there is no cause of action to file O.As.

Considering the submission, issue notice on admission and list these matters along with O.A. No.1365(c)/2016 where similar issue is pending adjudication. Counter be filed in the meantime, it may be noted that in the

district of Mayurbhanj and Ganjam, the respective CDMOs, as per the instruction of the Government, have allowed the paramedics posted in their districts to continue till further instruction is received.

In view of such instruction; the applicant be allowed to continue till then, We are however not inclined to stay the advertisement and any appointment made pursuant to the said advertisement shall be subject to result of the O.A.”

4. No counter affidavit has been filed by the Opposite Parties.
5. The writ petition stands dismissed for non-prosecution.
6. Interim order is extracted hereinabove stands vacated.

(M.S. Raman)
Judge

Basudev

