

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAC) No.4032 of 2015

Puranjali Naik

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

11.07.2022

Order No

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. Mishra, learned counsel for the Petitioner and Mr. G.N. Rout, learned ASC for the Opp. Parties.
3. The Petitioner has filed the present writ Petition with the following prayer:-

“i)To admit the case, call for the records and after hearing the parties the Hon’ble Tribunal be pleased to direct the Opposite Parties to appoint the petitioner to the post of Junior Clerk or any post befitting to her qualification as against vacancies caused due to the death of her husband;

ii) To pass any other appropriate order(s)/direction(s) as this Hon’ble Tribunal deems just and proper as circumstances justify.”

4. It is submitted that even though the Petitioner was eligible for his appointment as against Group C post under the provision of Rehabilitation Assistance Scheme, he was appointed as against Group D post and that too on contractual basis. Accordingly, the writ Petition was filed with the aforesaid prayer.

5. The counter affidavit has been filed by the Opp. Party No. 2. In the said counter it has been indicated that since the Petitioner could not qualify the computer skill test and only secured two (2) marks out of fifty (50) marks, she was not provided with appointment as against a Group C post.

6. Be that as it may, since it is submitted that in spite of providing him regular appointment the Petitioner has been appointed on contractual basis in a Group-D post, this Court while is not inclined to entertain the prayer as made in the writ Petition grants liberty to the Petitioner to move any application claiming her appointment as against a regular Group-D post before the Authority. It is observed that if any, such application is made before the Collector, Deogarh within a period of three (3) weeks hence, the said Authority shall take a lawful decision on the same within a further period of three (3) months.

7. It is observed that this Court has not expressed any opinion on the merits of this case.

8. The writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha