

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 34658 of 2021

Bijay Kumar Naik

.....

Petitioner

Mr. M.R. Mohapatra, Advocate

Vs.

State of Odisha and others

.....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

14.12.2022

Order No.

02.

This matter is taken up through hybrid mode.

2. Heard learned counsel for the parties.

3. The petitioner has filed this writ petition seeking to quash the order dated 11.10.2021 under Annexure-5 and issue direction to the opposite parties to appoint him under the rehabilitation assistance scheme, as per OCS (RA) Rules, 1990 and to grant all consequential service and financial benefits within a stipulated time.

4. Learned counsel for the petitioner contended that the case of the petitioner is covered by the judgment of the apex Court in the case of *Malaya Nanda Sethy v. State of Orissa*, Civil Appeal No. 4103 of 2022 disposed of on 20.05.2022. Therefore, this writ petition may be disposed of in the light of the aforesaid order, to which learned State Counsel has raised no objection.

5. In the above view of the matter, the order dated 11.10.2021 passed by the authority under Annexure-5 is hereby quashed. The opposite parties are directed to consider the case of the petitioner in the light of the judgment passed by the apex Court in the case of *Malaya Nanda Sethy* (supra) and pass appropriate order in accordance with law within a period of three months from the date of production of certified copy of this order.

Issue urgent certified copy as per rules.

Arun

(DR. B.R. SARANGI, J.)