

IN THE HIGH COURT OF ORISSA AT CUTTACK
WPC(OAC) No.1345 of 2013

Biranchi Narayan Sahoo

....

Petitioner

Mr. Dillip Ku. Mohanty, Advocate

-versus-

State of Odisha & Others

....

Opposite Parties

Mr. A. K.Nanda, AGA

CORAM:
JUSTICE M.S. RAMAN

Order No.

ORDER
28.02.2022

- 01.**
1. This matter is taken up by virtual/physical mode.
 2. The Original Application No.1345 (C) of 2013 was filed before the Odisha Administrative Tribunal, Cuttack Bench, Cuttack. After its abolition, the same has been transferred to this Court which is renumbered as WPC(OAC) No.1345 of 2013.
 3. The grievance of this Petitioner (applicant) is that the applicant claims to be a qualified candidate placed in provisional merit list at serial No. 35 belongs to SEBC category and *inter alia* seeks to challenge the final select list so far as inclusion of physically handicapped candidate as well as sports quota candidate in SEBC category. It is his claim that the representation as filed before the Respondent No. 1 is alleged to be pending as on date.
 4. Learned counsel for the Petitioner on instruction submits that the said representation vide Annexure-6 series are pending consideration. It is submitted that the learned Administrative

P.T.O.

Tribunal issued notice on the question of admission vide order dated 18.6.2013 in OA No. 1345 (C) of 2013 (now renumbered as WPC (OAC) No.1345 of 2013). No counter has yet been filed by the State.

5. Taking the fact of pendency of representation since 2012 in account, grant of time to file counter may not serve any fruitful purpose. Hence, the Opposite Party No.1 (Respondent No.1) i.e. Principal Secretary, Health and Family Welfare Dept. is directed to dispose of his representation in accordance with law.

6. Considering the submission made without entering into the merit of this case, the writ application stands disposed of with a direction that in the event of any prejudice caused to the selected candidates, the Opposite Party No.1 (Respondent No.1) may afford opportunity of hearing to the affected parties. The Opposite Party No. 1 may pass appropriate order after hearing the Petitioner and such affected parties in accordance with law as expeditiously as possible preferably within a period of four months from the date of production of the certified copy of this order.

Issue urgent certified copy as per rules.

(M.S. Raman)
Judge

Aks