

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.29949 of 2022

Madhusudan Sa

.... Petitioner
Mr.S.K.Joshi, Advocate

-versus-

State of Odisha and others

.... Opposite Parties
Mr. A.Behera, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER
11.11.2022

Order No.

02.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner and learned Additional Standing Counsel.
3. The Petitioner has filed the present writ application with the following prayer:

“ It is therefore prayed that keeping in view of the aforesaid facts and circumstances in consideration, this Hon’ble Court may be graciously pleased to admit the writ petition, issue notice to the opposite parties, call for the records and after hearing the parties pleased to allow the writ petition and quash the impugned advertisement under Annexure-4, as the same is issued not in conformity with the guideline issued by the Government with regard to selection and appointment of Jogan Sahayak and approve the Petitioner’s appointment as Salesman/Jogan Sahayak;

And/or may pass such other order/orders, direction/directions as this Hon’ble Court may deem just and proper in favour of the Petitioner.

4. It is submitted by the learned counsel for the Petitioner that to fill up the post of Jogan Sahayak, recently an advertisement was

issued on 15.09.2022 under Annexure-4. It is further submitted by the learned counsel for the Petitioner that the said advertisement is not in consonance with the guidelines of the State Government 21.04.2012. Therefore the Petitioner seeks to assail the said advertisement and prays for quashing of the advertisement. Further, it is submitted by the learned counsel for the Petitioner that the Petitioner is working under Opposite Party Nos.6 & 7 as Salesman. Further, it is submitted by the learned counsel for the Petitioner that the Petitioner has fulfilled the eligibility criteria as laid down in the Advertisement under Annexure-4. Further, it is contended by the learned counsel for the Petitioner that the Petitioner was recommended by the Sarpanch to the Block Development Officer, Sinapalli under Annexure-3 for his appointment as Jogan Sahayak. Despite such recommendation the Advertisement under Annexure-4 has been published by the Block Development Officer. Therefore, the Petitioner approached this Court for quashing of the Advertisement under Annexure-4 and for a direction to consider the case of the Petitioner for appointment as Jogan Sahayak.

5. Learned Additional Standing Counsel on the other hand submits that the advertisement dated 15.09.2022 under Annexure-4 is strictly in accordance with the State guidelines. Further, it is submitted by the learned Additional Sanding Counsel that if the Petitioner fulfills all the eligibility criteria as has been laid down in the advertisement under Annexure-4, it is open for him to approach the Block Development Officer and in such event the same shall be considered on the basis of his own merit.

6. Considering such submission, the present writ application is disposed of at the stage of admission by directing the Petitioner to approach the Block Development Officer, Sinapalli, Opposite Party

No.5 by filing a representation along with a copy of the letter issued by the Sarpanch vide Annexure-3 within a period of two weeks from today. In the event such a representation is filed supported by all relevant documents the same shall be considered in accordance with law and dispose of the same within a period of four weeks thereafter. The decision so taken shall be communicated to the Petitioner.

7. With the aforesaid observation the writ application is disposed of.
8. Issue urgent certified copy of this order as per Rules.

RKS

