

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C)(OAC) No.2530 of 2017**

**Benudhar Behera**

....

**Petitioner**

**-versus-**

**State of Odisha & Ors.**

....

**Opposite Parties**

**CORAM:**

**JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER**

**06.12.2022**

**Order No**

**06.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard Mr. J. Biswal on behalf of Mr. S.D. Routray, learned counsel for the Petitioner and Mr. N.N. Satapathy, learned Standing Counsel appearing for the Opp. Parties.

3. The present writ petition has been filed inter alia with the following prayer:-

*“i) Admit the original application.*

*ii) Call for the records,*

*iii) The respondents may be directed to consider the case of the applicant for the post of TGT (Arts) basing on the position of the applicant in the new additional merit list, prepared in respect of over aged category pursuant to the direction of this Hon’ble Tribunal.”*

4. It is submitted that even though the Petitioner was found eligible and his name was reflected in the draft and final merit lists issued by the authorities under Annexure-4 & 5, but he was not provided

with the appointment. It is also contended that there are vacancies available as against the post of TGT Arts in the district of Nabarangpur and in spite of availability of vacancies, Opp. Parties are not taking any step to provide appointment to the Petitioner.

5. Considering the submission made by the learned counsel for the Petitioner, this Court while disposing the present writ petition, permits the Petitioner to move an appropriate application before the Opp. Party and in the event, any such application is made within a period of three (3) weeks from today, the same shall be considered in accordance with law within a period of three (3) months from the date of receipt of such representation.

6. The writ petition is disposed of accordingly.

**(Biraja Prasanna Satapathy)**  
**Judge**

*Sneha*

