

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30653 of 2022

***Bhabani Mahananda @
Tandi*** ***Petitioner***

Mr. A.K. Mohanty, Advocate

-versus-

State of Odisha & others ***Opp. Parties***

*Mr. R.N. Mishra,
Addl. Government Advocate*

**CORAM:
JUSTICE S.K. SAHOO**

**ORDER
28.11.2022**

Order No.

01. This matter is taken up through Hybrid Arrangement (Video Conferencing/Physical Mode).

Heard learned counsel for the petitioner and learned counsel for the State.

This writ petition has been filed by the petitioner Bhabani Mahananda @ Tandi challenging the advertisement dated 18.10.2022 issued by the Block Development Officer, Boden under Annxure-6 relating to the engagement of Jogana Sahayaka for three Gram Panchayats of Boden Block under Nuapada district for smooth distribution of PDS commodities.

It is the case of the petitioner that her husband was appointed as Jogana Sahayaka by the Collector, Nuapada

vide office order dated 11.11.2013 and he was continuing as such till he died on 17.05.2021 and after his death, the petitioner has submitted an application before the Sarpanch, Litisargi Gram Panchayat on the basis of which she was given appointment as salesman on 30.06.2021 however, she submitted a representation on 08.07.2022 before the Collector, Nuapada (opposite party no.3) for engaging her as Jogana Sahayaka. It is the further case of the petitioner that while such representation was pending for consideration, the impugned advertisement has been issued on 18.10.2022 and therefore, the advertisement should be quashed and the petitioner's representation may be considered by the opposite party no.3 on its own merit.

On perusal of the advertisement under Annexure-6, it appears that some eligibility criteria has been laid down for such engagement and one of the criteria that the applicant should be of age between twenty one to thirty five years as on 01.01.2022.

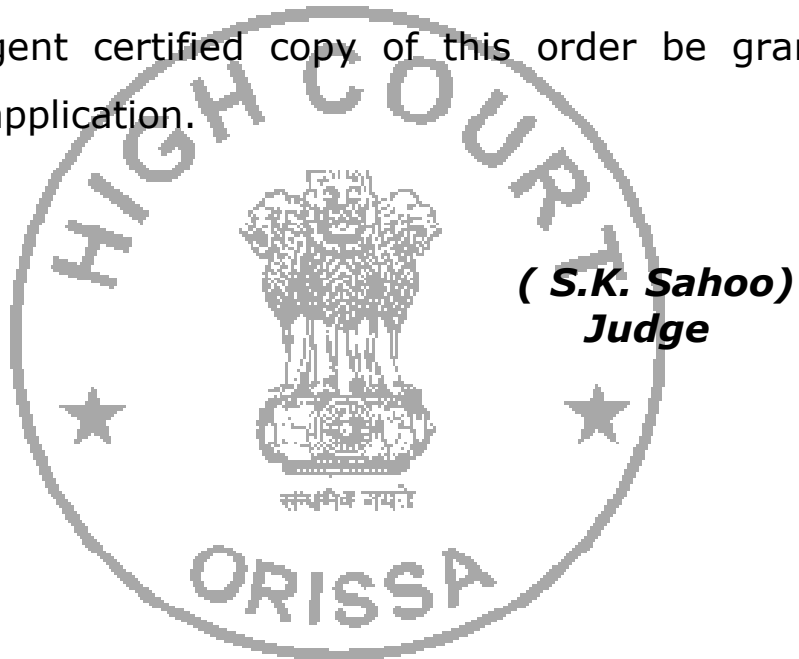
Learned counsel for the petitioner fairly submitted that since the date of birth of the petitioner is 21.05.1986, she has crossed the age limit as prescribed under the advertisement under Annexure-6. Therefore, she could not apply for the post of Jogana Sahayaka and accordingly, the opposite party no.3 may be directed to sympathetically consider the case of the petitioner. It

further appears that the petitioner is also having no experience as salesman with minimum three years for relaxation of the age limit even though the date of her engagement as salesman as per Annexure-4 is taken into consideration.

Therefore, in such a circumstance, since the petitioner has not fulfilled the eligibility criteria for being considered for her engagement as Jogana Sahayaka, I do not find any merit in the prayer of the writ petition.

Accordingly, the writ petition stands dismissed.

Urgent certified copy of this order be granted on proper application.



RKM