

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.31075 of 2022

Jitindriya Pattnayak

....

Petitioner

Mr. P.K. Mahapatra, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. A. Behera, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

05.12.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard Mr. P.K. Mohapatra, learned counsel appearing for the Petitioner and Mr. A. Behera, learned Additional Standing Counsel for appearing for the State-Opposite Parties.
 3. The petitioner has filed the present writ petition with the following prayer:-

“In the above facts and circumstances, the Petitioner prays this Hon’ble Court may graciously be pleased to admit the Writ Petition, issue notice to the Opp.Parties, particularly to Opp.Party No.2 and 3 for show cause as to why this petitioner will not be allowed to join in the post he applied for under P.H. category considering the vacancy position into account, and if the Opp.Parties fail to show cause or show insufficient cause, the Hon’ble Court may further be pleased, to allow this Writ petition directing the Opp.Party No-3 to take immediate steps by allowing the petition to apprise by submitting necessary certificates as required for completing the process of selection, or may pass any other order/orders, direction/direction as deem fit and proper in the interest of justice.”

4. It is submitted that the claim made in this writ petition is covered by the decision of this Court passed on 11.04.2022 in W.P.(C) No.28055 of 2021.

5. It is submitted by Mr. Mohapatra, learned counsel appearing for the petitioner that the petitioner applied under the P.H. category and he further submits that P.H. category is lying vacant. In such view of the matter, Mr. Mohapatra, learned counsel for the petitioner also submits that case of the petitioner shall consider for appointment subject to verification of the petitioner's eligibility.

6. Considering such submission of Mr. Mohapatra, learned counsel appearing for the Petitioner, this Court permits the Petitioner to move before the Opposite Party No.3-The Chief District Medical Officer, Berhampur with a prayer as made in this writ petition. It is directed that if any such application is moved before the Opposite Party No.3 within a period of two weeks from today, the Opposite Party No.3 shall take a lawful decision on the same within a further period of one month. It is observed that while taking such decision, the Opposite Party No.3 shall take into consideration the order dated 11.04.2022 passed by this Court in W.P.(C) No.28055 of 2011, if it is application to the case of the petitioner.

7. With the aforesaid observation and direction, the writ petition is disposed of.

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

(A.K. Mohapatra)
Judge