

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) (OAC) No.1366 of 2019

Sanatana Moharana

....

Petitioner

-versus-

State of Odisha and others

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

11.10.2022

Order
No.

01.

1. This matter is taken up through hybrid mode.

2. Heard Mr. L.P. Dwivedy, learned counsel appearing for the Petitioner and Mr. R.N. Mishra, learned Additional Government Advocate appearing for the State-Opposite Parties.

3. The Petitioner has filed this writ petition challenging the order dated 7th June, 2019 passed by the Opposite Party No.3-District Ayurveda Medical Officer, Balasore Circle, Balasore under Annexure-8 wherein his claim for his engagement as Part Time Sweeper-cum-Night Watchman in Government

Ayurvedic Dispensary (GAD), Kodagambhira has been rejected.

4. It is submitted that the Petitioner approached the learned Tribunal in O.A. No.2555 of 2018 and the learned Tribunal vide its order dated 22.11.2018, directed the Opposite Parties Nos.2 and 3 to take a decision on the claim of the Petitioner for his engagement as Part Time Sweeper-cum-Night Watchman.

5. Mr. L.P. Dwibedy, learned counsel appearing for the Petitioner submits that the proposal for engagement of Part Time Sweeper-cum-Night Watchman is under consideration of Government and only after the decision is taken on the matter and after lifting of ban for posting of PTS, steps will be taken for engagement of Part Time Sweeper-cum-Night Watchman in different Dispensaries of the State. But, while indicating so, the claim of the Petitioner was rejected vide the impugned order. He further submits that necessary direction be issued for consideration of the Petitioner's claim, in view of such observation indicted in the impugned order.

6. Mr. R.N. Mishra, learned Additional Government Advocate appearing for the State- Opposite Parties has no serious objection to the submission made by the learned counsel for the Petitioner.

7. Having heard the learned counsel for the parties and in view of the observation made in the impugned order (Annexure-8), this Court, while disposing this writ petition, directs the Opposite Party No.1-Principal Secretary to Government of Odisha, Health & Family Welfare Department, Secretariat Building, Bhubaneswar to take a fresh decision on the claim of the Petitioner taking into account the observation so indicated. The entire exercise shall be completed within a period of two months from the date of receipt of copy of this order.

8. The writ petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Debasis