

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.38645 of 2021

Smt. Kabita Mohanty

....

Petitioner

Ms. Saswati Mohapatra, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. YSP Babu, AGA for State

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

29.04.2022

Order No.

03. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. The writ petition filed by the petitioner involves the following prayer:

“Under the aforesaid facts and circumstances, it is therefore, prayed that this Hon’ble Court may graciously be pleased to:

- (i) Quash the Order, dated 20.09.2021 under Annexure-7 and thereby direct the State Opp. Parties to fill up the post in question through advertisement by adopting a fair selection process;
- (ii) Pass such other order(s), direction(s) or writ(s) as may be deemed fit and proper in the bonafide interest of justice;

And for this act of kindness, the Petitioner shall as in duty bound, ever pray.

4. Learned counsel for the Petitioner submits that ventilating her grievance, she has filed a representation before the Commissioner-cum-

Secretary to Government, Department of Odia Language, Literature and Culture, Govt. of Odisha, Bhubaneswar, Opposite Party No.1, dated 30.04.2021, copy of which has been forwarded to the Development Commissioner & Addl. Chief Secretary, Chairperson, Search Committee, Culture Department, Bhubaneswar-O.P. No.2, which is stated to be pending before the Authority-O.P. No.2 and no decision has yet been taken on the same. She urges if a direction is given to Opposite Party No.2 to consider the representation of the Petitioner within a stipulated period of time, it will suffice.

5. Learned counsel for the State on the other hand submits that he has no objection if a direction is given to Opposite Party No.2 to consider the representation of the Petitioner within a stipulated period of time.

6. Considering the limited nature of grievance and the facts and circumstances of the case, this Court is inclined to dispose of the writ petition at the stage of admission directing the Opposite Party No.2 to consider the representation of the Petitioner dated 30.04.2021 (Annexure-9) strictly in accordance with law, as expeditiously as possible, preferably within a period of two months from the date of production of certified copy of this order. It is further directed that Opposite Party No.2 shall provide opportunity of hearing to the Petitioner before passing final order and dispose of the same by passing a speaking and reasoned order. Decision so taken be communicated to the Petitioner within a period of two weeks thereafter.

7. With the above direction, the writ petition stands disposed of.

8. Issue urgent certified copy of this order on proper application.

(A.K. Mohapatra)
Judge