

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.35315 of 2022

Rajani Kanta Pradhan

.....

Petitioner

Mr. A.K. Biswal, Advocate

Vs.

***Sahid Laxman Nayak Medical
College & Hospital, Koraput &
Ors.***

.....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

21.12.2022

Order No.

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This matter is taken up through Hybrid mode.

2. Heard Mr. A.K. Biswal, learned counsel for the petitioner and Mr. H.M. Dhal, learned Additional Government Advocate appearing for the opposite parties.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to consider his case as a Physically Handicapped candidate for the post of Laboratory Attendant/Attendant/Peon at the time of certificate verification to be held on 23.12.2022, 30.12.2022 and 31.12.2022 respectively.

4. Mr. A.K. Biswal, learned counsel for the petitioner contended that pursuant to advertisement issued, the petitioner applied for the posts of Laboratory Attendant, Attendant and Peon. It is further contended that due to accident, he became physically handicapped. Therefore, the petitioner prays to consider his

application under the Physically Handicapped category at the time of certificate verification.

5. Mr. H.M. Dhal, learned Additional Government Advocate appearing for the opposite parties contended that by the time of submission of application, the petitioner was not handicapped. Therefore, consideration of his application under Physically Handicapped category at the time of verification of certificate for appointment, pursuant to the advertisement under Annexure-1, cannot be permissible under the law.

6. Considering the contentions raised by learned counsel appearing for the parties and after going through the records, since by the time of submission of application, the petitioner was not physically disabled, but subsequently due to accident he became physically handicapped, the claim made by the petitioner to be considered under P.H. category at the time of verification of certificates, cannot be permissible. Thereby, making innocuous prayer for consideration of representation will not enure to the benefit of the petitioner.

7. In the above view of the matter, this Court is not inclined to entertain this writ petition. Accordingly, the same is dismissed.

(DR. B.R. SARANGI)
JUDGE