IN THE HIGH COURT OF ORISSA AT CUTTACK
WPC(OAC) No. 1106 of 2016

Dr. Lokapal Bhoi **.....** ***Petitioner***

Mr. K.P. Mishra, Sr. Advocate

-versus-

State of Odisha & Ors. **.....** ***Opposite Parties***

Mr. S.K. Jee, AGA
Mr. B.P. Tripathy, Advocate
(Opp. Party No. 2)

CORAM:
THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY
ORDER
18.12.2024

Order No. 16

1. This matter is taken up through hybrid mode.

2. Heard Mr. K.P. Mishra, learned Sr. Counsel appearing for the Petitioners, Mr. S.K. Jee, learned Addl. Govt. Advocate appearing for the State and Mr. B.P. Tripathy, learned counsel appearing for Opp. Party No. 2.

3. In course of hearing learned Sr. Counsel appearing for the Petitioners contended that the writ petition be confined to Petitioner No. 10 only.

4. It is contended that even though the present application was filed challenging the advertisement issued by the Odisha Public Service Commission vide Advertisement No. 23 of 2015-16, but the said selection process has already been completed and Petitioner is also not protected by any interim order.

4.1. It is however contended that taking into account the long continuance of Petitioner No. 10 w.e.f.2008 as against the post of Ayush Doctor, liberty be given to the Petitioner to make an

appropriate application before Opp. Party No. 1 to consider his claim to get the benefit of absorption as an Ayush Doctor in the Department.

5. Mr. B.P. Tripathy, learned counsel appearing for Opp. Party No. 2 and learned Addl. Govt. Advocate have got no serious objection to the course of action proposed by the learned Sr. Counsel for the Petitioner.

6. Having heard learned counsel appearing for the Parties and considering the submissions made, this Court while disposing the writ petition, grants liberty to the Petitioner No. 10 to make an appropriate application before Opp. Party No. 1 for his absorption in the Department.

6.1. It is observed that if any such application is moved before Opp. Party No. 1 within a period of three (3) weeks hence, the said Opp. Party shall do well to take a lawful decision on the same within a further period of three (3) months from the date of receipt of such application. It is further observed that while taking such a decision, continuance of the Petitioner since 2008 shall take into consideration. The order so passed by Opp. Party No. 1 be communicated to the Petitioner No. 10.

7. The writ petition stands disposed of.

(BIRAJA PRASANNA SATAPATHY)
Judge

Sneha

Signature Not Verified
Digitally Signed
Signed by: SNEHANJALI PARIDA
Designation: Sr. Stenographer
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 20-Dec-2024 19:32:59