IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.2255 of 2023

Sanjeeb Kumar Rout ..... ***Petitioner***

Represented by Adv. -
Budhiram Das

-versus-

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

Represented by Adv. -
Mr. S.K.Parhi, A.S.C.
m/s sunil kumar patnaik

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR MOHAPATRA

ORDER

Order No. **09.04.2026**

02. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).

2. On perusal of the Stamp Report, it appears that no defect has been pointed out by the Stamp Reporter. Accordingly, the noting with regard to the defect is ignored.

3. Heard Mr. B. Das, learned counsel for the Petitioner and Mr. S.K.Parhi, learned Addl. Standing Counsel for the State-Opp. Parties.

4. The Petitioner has filed the Writ Petition challenging the order dated 10.08.2021 passed by the Government-Opposite Party No.1 under Annexure-7. Mr. Das, learned counsel for the Petitioner contended that earlier the petitioner had approached this Court in W.P.(C) No.36054 of 2020 and this Court vide order dated 21.12.2020 while disposing the matter directed Opposite Party No.3 to take a fresh decision on the claim of the Petitioner. It is contended that Opp. Party No.3 on the ground that order passed in W.P.(C)

No.27634 of 2020 is pending before this Court in W.A. No.810 of 2021, rejected petitioners' claim vide impugned order. It is contended that W.A. No.810 of 2021 relates to the direction of this Court for providing compassionate appointment to the teaching and non-teaching staffs of Block Grant Institutions. But the prayer of the petitioners is with regard to grant of other service benefits. Accordingly, it is contended that the impugned order is not sustainable in the eye of law.

5. Mr. S.K.Parhi, learned Addl. Standing Counsel also does not dispute the submissions made by the learned counsel for the Petitioner.

6. Having heard learned counsel for the parties and taking into account the direction issued by this Court on 21.12.2020, it is the view of this Court that the Opposite Party No.1 has not taken a decision as directed by this Court in the earlier Writ Petition. The ground on which the claim of the petitioners has been rejected as per considered view of this Court is not sustainable in the eye of law. Therefore, this Court is inclined to quash the order dated 10.08.2021 under Annexure-7. While quashing the same, this Court remits the matter to Opposite Party No.1 to take a decision in the light of the order passed on 28.09.2021 by this Court in W.P.(C) No.23312 of 2020 within a period of two months from the date of receipt of this order.

7. Accordingly, the Writ Petition is disposed of.

(A.K. Mohapatra)

Judge

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