IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.36196 of 2026
(CNR No.ODHC010854382026)

Minakshi Kar …. **Petitioner**

Mr. J.K. Khuntia, Advocate

-Versus-

State of Odisha & others …. **Opposite Parties**

Mrs. Siva Mohanty, ASC

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
05.11.2026

Order No.

01. 1. Heard Mr. Khuntia, learned counsel for the petitioner and Mrs. Mohanty, learned ASC for the State.

2. Instant writ petition is filed by the petitioner for a direction to the opposite parties, in particular, opposite party No.3 to modify the office order dated 14th October, 2026 at Annexure-4 of opposite party No.3 by appointing her against a Regular Group-C Post under the Orissa Civil Service (Rehabilitation Assistance) Amendment Rules,2025 (hereinafter referred to as 'the Rules, 2025') clarified vide letter dated 13th June, 2025 by the Government of Odisha in General Administration and Public Grievance Department under Annexure-6 read with Rule 5 of Orissa Civil Service (Rehabilitation Assistance) Rules, 1990 (shortly as 'the Rules, 1990') and in view of judgment of the Apex Court in Civil Appeal No.5842 of 2025 (**State of Odisha & others Vrs. Jita**

Luha) & batch of cases disposed of on 2nd May, 2025 and on such other grounds stated.

3. Referring to Rule 5 of the Rules, 1990, it is submitted by Mr. Khuntia, learned counsel for the petitioner that the petitioner is entitled to an appointment on rehabilitation ground subject to qualification. The claim is that the petitioner is having Post Graduate qualification, hence, he should have been appointed against a Group-C post and not in Group-D. The further submission is that the grievance of the petitioner as per Annexure-9 is pending before opposite party No.3 and hence, a direction may perhaps be issued to consider his appointment against a Regular Group-C post under the Rules, 2025 for the clarification of the Government at Annexure-6 consequent upon the decision in **Jita Luha** (supra).

4. Recorded the submission of Mrs. Mohanty, learned ASC for the State.

5. Since the grievance of the petitioner is for an appointment against Group-C post with the modification of the order of appointment at Annexure-1 and the claim is based on Rule 5 of the Rules, 1990 read with Rules, 2025 and the Government's clarification dated 13th June, 2025 and having regard to the decision of the Apex Court in **Jita Luha** (supra), a copy of representation which is at Annexure-9, this Court, recording the State's response, is inclined to direct opposite party No.3 to attend to the same and to take a decision in that regard

at the earliest preferably within a period of six weeks from the date of receipt of a copy of this order.

6. Accordingly, it is ordered.

7. In the result, the writ petition stands disposed of with the direction as aforesaid. It is further directed that opposite party No.3 soon after receiving a copy of the order shall examine the appointment of the petitioner against Group-C post in terms of the direction hereinabove complying the same within the stipulated period fixed.

8. Issue urgent certified copy as per rules.

(R.K. Pattanaik)
Judge

Narayan

Signature Not Verified
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Reason: Authentication
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