

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.23754 of 2020

Tulasiram Majhi & Anr.

....

Petitioners

Mr. S.K. Dash, Advocate

-versus-

State of Odisha & Ors.

....

Opposite Parties

Mr. R.N. Mishra, AGA

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

29.09.2023

Order No

- 05.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. S.K. Dash, learned counsel for the Petitioners and Mr. R.N. Mishra, learned Addl. Govt. Advocate appearing for the Opp. Parties.
3. The present writ petition has been filed inter alia with the following prayer:-

“Under these circumstances, the petitioner prays that, Your Lordships would be graciously pleased to admit the writ application by issuing writ of mandamus to the Opp. parties, more particularly the Opp. party No.4 to conclude the process of selection by taking steps for verification of certificate/ documents and taking process of counseling for posting in respect of the advertised posts within a stipulated period of time;

And/or to pass such other order/ orders, direction/directions as this Hon'ble Court deems just, fit, equitable and proper in the facts and circumstances of the present case;

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

4. It is contended that even though the Petitioners were finally selected, but when order of appointment were not issued in their favour, they approached this Court in W.P.(C) No. 21620 f 2018. This Court when directed the concerned authority to take a decision on the claim of the Petitioners, the same was rejected vide order dtd.26.06.2019 under Annexure-6.

5. Mr. Dash, learned counsel for the Petitioners contended that the claim of the Petitioners were rejected only on the ground that W.P.(C) Nos. 762, 763, 764, 765 & 2209 of 2018 are pending before this Court, wherein the selection process is under challenge. Mr. Dash further contended that in the aforesaid writ petitions, there is no interim order passed by this Court while issuing notice of the matter.

6. Mr. R.N. Mishra, learned AGA on the other hand contended that since the selection process was under challenge in the connected writ applications filed in the year 2018, the authority concerned could not proceed further by providing appointment to the Petitioners and accordingly passed the order under Annexure-6.

7. Having heard learned counsel appearing for the Parties and taking into account the fact that the writ petitions filed in W.P.(C) Nos. 762, 763, 764, 765 & 2209 of 2018 were permitted to be withdrawn by this Court, this Court while disposing the writ petition, directs Opp. Party No. 4 to conclude the selection process by providing appointment to eligible candidates within a period of one month from the date of receipt of this order.

8. The writ petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha



Signature Not Verified

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Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 30-Sep-2023 12:56:36

