



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.A. No.80 of 2020**

**Md. Rizwan**

....

**Appellant(s)**

*Mr. Sanjib Mohanty, Advocate*

*-versus-*

**State of Odisha and others**

....

**Respondent(s)**

*Mr. Partha Sarathi Nayak, AGA  
(for respondent No.1)*

*Mr. M. K. Biswal. Advocate  
(for respondent Nos.2 to 5)*

**CORAM:**

**HON'BLE MR. JUSTICE S.K. SAHOO  
HON'BLE MR. JUSTICE S. S. MISHRA**

**ORDER**

**18.08.2025**

**Order No.**

16. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

This writ appeal has been filed by the appellant-Mohammad Rizwan challenging the order dated 14.01.2020 passed by the learned Single Judge of this Court in W.P.(C) No.10394 of 2013, wherein the prayer made by the appellant for appointment under the Rehabilitation Assistance Scheme was not entertained. In the writ appeal, in ground No.(j), it is stated as follows:-

*"(j) For that it is a clear case of the discrimination where the document clearly says that the application of two candidates was rejected, one is the Md. Shakil and another is Abhaya Nayak. The said Abhaya Nayak and Md. Shakil approached this Hon'ble Court challenging*



*the said order where his name find place in the annexure-12 of the writ petition. This Hon'ble Court remanded it to the govt. and accordingly the govt. has given appointment to the Abhaya Nayak and Md. Shakil but in case of the petitioner the Learned Single Judge has rejected the claim. When the retirement is given to the employees on invalidation ground with same terms and conditions the appellant cannot be single out from others. Hence this is a clear case of the discrimination."*

No document in support of the averments in the ground has been annexed to the writ appeal.

Counter affidavit has already filed by the respondent No.1 and in paragraph-4 this aspect has been dealt with. However, the learned counsel for the State submits that the counter affidavit is not available in the file and he may be permitted to take the counter affidavit in his pendrive.

Learned counsel for the State is permitted to take the counter affidavit in his pendrive.

Put up this matter in the week commencing from 8<sup>th</sup> September, 2025.

**( S.K. Sahoo )**  
**Judge**

**(S.S. Mishra)**  
**Judge**