



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 9498 of 2025

Manoranjan Nayak ***Petitioner***
Mr. Ramdas Achary, Advocate

-versus-

State of Odisha and Others ***Opp. Parties***
Mr. T. K. Dash, AGA

CORAM:
THE HON'BLE MR. JUSTICE CHITTARANJAN DASH

Order No. **ORDER**
21.04.2025

01. 1. Heard learned counsel for the Petitioner and the State.
2. It is submitted by learned counsel for the Petitioner that pursuant to the application submitted by the Petitioner on the basis of the advertisement issued on 10.09.2023, he appeared for the post of Junior Teacher (Schematic) Category-I and his name appeared in the final select list. However, his candidature being on the basis of a disability certificate, he was asked to appear before the Board for re-verification of percentage of



disability and accordingly, the Petitioner appeared before the Board of MKCG Medical College, Berhampur. However, in the aforesaid assessment, he was shown to have 28% disability, thereby, disqualifying him to be eligible for the appointment to the aforesaid post. The Petitioner made a representation before the authority. Since his representation was not considered, he moved this Court in W.P.(C) No.26428 of 2024 and this Court vide order dated 04.11.2024 directed the Opposite Party No.5 in the said Writ Petition for consideration of the representation filed by the Petitioner under Annexure-7 of that Writ Petition and accordingly, upon consideration of the representation pursuant to the direction of this Court, the Opposite Party No.5 rejected the claim of the Petitioner on the ground that his disability has been shown to be of 28% and as per the norms of the recruitment for disable person disability, the percentage of disability ought to have been more than 40%. It is further submitted by the learned counsel for the Petitioner that this Court in a similarly situated case, while disposing of W.P.(C) No.28699 of 2024, had the occasion to direct the Petitioner to reassess with regard to his disability, and was directed to be considered for the



appointment in accordance with law. Mr. Achary, learned counsel for the Petitioner further submitted that the Petitioner, in the present case, to be a disable person having disability of more than 40% may be directed to appear before an independent body at SCB Medical College or before any authority as would be directed by this Court for re-assessment of his disability.

3. Mr. Dash, learned AGA, on the other hand, did not oppose to the said submission of the learned counsel for the Petitioner, having verified the order passed in W.P.(C) No.28699 of 2024.

4. In view of the above, it is directed that the Superintendent, SCB Medical College and Hospital, Cuttack shall constitute a Board and issue appropriate notice to the Petitioner for his appearance for assessment of his disability in respect to his health condition and submit a report before this Bench. The entire exercise shall be completed within a period of three months.

5. Learned AGA is directed to communicate this order to the Superintendent, SCB Medical College and Hospital, Cuttack for compliance.

6. List this matter after the said report is placed before this Bench.



A free copy of this order be supplied to the learned AGA for reference.

I.A. No.4141 of 2025

7. It is submitted by the learned counsel for the Petitioner that one post in the aforesaid category is lying vacant.

8. If that be so, as on date, the same be kept reserved till the finalisation of this Writ Petition.

9. This I.A. is disposed of.

(Chittaranjan Dash)
Judge