



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.12640 of 2026

Purna Chandra Behera & others ***Petitioners***

Mr. P.K. Mohapatra, Advocate

-versus-

State Of Orissa & others ***Opp. Parties***

Mr. S.B. Panda, AGA

CORAM:

THE HON'BLE MR. JUSTICE CHITTARANJAN DASH

ORDER

30.04.2026

Order No.

- 01.** 1. By means of this application, the Petitioners seek the following relief: -

“Under aforesaid facts and circumstances, it is therefore, prayed that this Hon’ble Court may graciously be pleased to:-

(i)Direct/order the Opposite Parties to consider the case of the Petitioners for reinstatement in service in view of the order passed in similar cases recently as at Annexure-6 series by quashing the order of disengagement vide order No.4496/ZP dated 31.12.2022 as at Annexure-4 and allow the Petitioner to continue tin service.

(ii)Pass such other order/direction as may be deemed fit and proper in the interest of justice”

2. Mr. Mohapatra, learned counsel for the Petitioner in course of the hearing in the application, drew the attention of this Court to the order passed by the Co-ordinate Bench in RVWPET



No.31/2025, wherein the Coordinate Bench vide order dated 17.10.2025 directed as follows:-

“24. This Court is, thus, satisfied that the Common judgment dated 22.12.2023, qua the present Petitioner, suffers from an error apparent on the face of the record in that it (i) proceeded on an unstated but crucial assumption about the cohort/post to which the Petitioner belonged, without adjudicating the rival case borne out by materials; and (ii) consequently applied the no-prejudicial/ritual hearing doctrine to a case where prejudice is self-evident because a determination on facts could well alter the outcome. In the result, the Review Petition is allowed on the following terms:

(i) The common judgment dated 22.12.2023 is recalled and set aside qua the present Petitioner alone. Paragraphs and observations therein inconsistent with this judgment shall not operate against her.

(ii) Given the completeness of the pleadings and the circumscribed controversy, this Court proceeds to dispose of the Writ Petition on merits forthwith, rather than remand, to avoid further delay.

(iii) This disengagement order No.1051 dated 26.03.2018 is quashed, being vitiated for breach of audi alteram partem and for non-application of mind to the advertisement/cohort distinction.

(iv) The matter is remitted to the Collector-cum-CEO, Zilla Parishad, Mayurbhanj for a de novo decision, within eight weeks, on the following specific issues:

(a) Whether the Petitioner's engagement vide Order No.209 dated 10.02.2004 was against one of the 16 SC Women posts notified under the 25.03.2003 advertisement;

(b) Whether those 16 posts were merged into the 15,682 post-26.09.2003 cohort or stood substantively filled in the first cycle owing to the non-availability of trained SC-Women;



(c)The effect, if any, of the second advertisement (Rairangpur 587 posts; 21 SC-Women) and the inservice reservation note on the Petitioner's provisional placement at Serial No.19, including production and consideration of the final select lists, appointment orders, and the policy basis for inservice earmarking;

(d)Consequential application or inapplicability of W.P.(C) No.11748 of 2003 to the Petitioner's engagement.

(v)The Authority shall afford the Petitioner a personal hearing, permit filing of additional documents (including RTI responses, lists, orders), pass a speaking order, and communicate the decision forthwith. Pending the fresh decision, the Petitioner shall be reinstated to engagement within four (4) weeks from receipt of this judgment and continued subject to outcome..."

3. As seen from the aforesaid order passed by the Co-ordinate Bench; it referred to another order of the Co-ordinate Bench passed in W.P.(C) No.11748 of 2023; it is no more *res integra* that similar matters are to be dealt similarly. The order passed by the Co-ordinate Benches in RVWPET No.31/2025 and the order passed on 26.02.2026 in W.P.(C) No.37539 of 2025 are to be referred to while dealing with the present case which is substantially similar to one as has been disposed of therein.

4. The Opposite Party No.3, is therefore, directed to consider the case of the Petitioners for reinstatement in the light of the order passed in the aforesaid W.P.(C) No.37539 of 2025 as followed in the matter of RVWPET No.31/2025.

5. As a necessary corollary the disengagement order dated 31.12.2022 stands quashed. The Opposite Party No.3 i.e. Collector-cum-Chief Executive Officer, Zilla Parishad, Ganjam,



shall consider the case of the Petitioners in view of the aforestated order passed by the Coordinate Bench both in W.P.(C) No. 37539 of 2025 and RVWPET No.31/2025 and complete the entire exercise within a period of six weeks.

6. The learned counsel for the Petitioner volunteers to submit a fresh representation before the Opposite Party No.3 within a period of fifteen days from the date of this order individually.

7. Accordingly, the Writ Petition is disposed of.

(Chittaranjan Dash)
Judge

Bijay