



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13321 of 2023

CNR No. ODHC010321192023

Manoj Chhachhan

....

Petitioner

Mr. J. Panda, Advocate

-versus-

State of Odisha & Ors.

....

Opposite Parties

Mr. P.K. Panda, ASC

Mr. K.K. Patel, Adv. for O.P.5

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

11.08.2026

Order No.

- 11.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard learned counsel appearing for the Parties.
3. Pursuant to the order dtd.24.07.2026, learned Addl. Standing Counsel produced the instruction so provided by the RI of Police, Sundargarh vide his letter dtd.05.08.2026. The same be kept in record.
- 3.1.** Basing on the instruction, it is contended that as on 04.01.2026, 174 posts of Constable are lying vacant in Sundargarh district.
4. The present Writ Petition has been filed *inter alia* with the following prayer:-



“It is therefore prayed that this Hon'ble Court may graciously be pleased to admit the writ petition and issue notice to the Opp. Parties to show cause as to

i) Why the Opp.Party No.4 will not be directed to produce the selection process record before this Hon'ble Court after verifying record quash the order dt. 10.4.2023 vide Annexure-7 and

ii) Why the Opp.Party No.4 will not be directed to give appointment to the petitioner as per the list prepared by the State Selection Board, Odisha Police, Cuttack vide Annexure-6 within a stipulated time.

And if the Opp.parties done any show cause then the Rule be made absolute by issuing appropriate writ/writs to the OPp.Parties and any other order as deem fit be passed.

And for this act of kindness the Petitioner shall as I duty bound ever pray”.

5. It is contended that pursuant to the advertisement issued under Annexure-3, Petitioner participated in the selection process for recruitment to the post of Constable (Civil) in Odisha Police in respect of Sundargarh District.

5.1. It is contended that in the advertisement so issued and as against the district of Sundergarh, 104 vacancies were notified. Out of those 104 vacancies, 82 posts were reserved for UR category and out of those 82 posts, 55 posts were meant for UR (Men) and 27 post for UR (Women).

5.2. It is contended that Petitioner made his application as a UR (Male) category candidate and participated in the selection process.



5.3. It is further contended that on being found suitable, vide notification dtd.05.04.2023 under Annexure-6, Petitioner was held eligible to get the benefit of selection and appointment. But subsequently vide the impugned corrigendum issued on 10.04.2023 under Annexure-7, in place of the Petitioner when Opposite Party No.5 was held eligible to get the benefit of appointment, the present Writ Petition was filed, challenging such action of the Opposite Party No.3.

5.4. It is further contended that this Court while issuing notice of the matter vide order dtd.01.05.2023, passed an interim order to the effect that any appointment made shall be subject to final outcome of the writ petition.

5.5. Learned counsel appearing for the Petitioner contended that since Petitioner was found eligible to get the benefit of selection and appointment vide notice dtd.05.04.2023 under Annexure-6, he could not have been deprived to get the benefit with issuance of the impugned corrigendum issued under Annexure-7.

5.6. However, it is contended that since there are number of vacancies available in the district of Sundargarh as per the instruction provided by the learned State Counsel, Opposite Party Nos.3 and 4 be directed to provide appointment to the Petitioner as against those available vacancies, as Petitioner was



otherwise found eligible to get the benefit of selection and appointment.

6. Mr. P.K. Panda, learned ASC while supporting the impugned corrigendum *inter alia* contended that, subsequent to issuance of Annexure-6, when it was found that Opposite Party No.5 though belongs to SC category and has secured more mark than the Petitioner, in place of the Petitioner, Opposite Party No.5 was selected with issuance of the impugned corrigendum under Annexure-7.

6.1. It is accordingly contended that no illegality or irregularity can be found with regard to issuance of the impugned corrigendum under Annexure-7 as Opposite Party No.5 being more suitable was selected in place of Opposite Party No.5.

7. Having heard learned counsel appearing for the Parties and considering the submissions made, this Court finds that pursuant to the advertisement issued under Annexure-3, Petitioner participated in the selection process for recruitment as against the post of Constable (Civil) in respect of Sundargarh district. As found Petitioner on being found eligible, his name was reflected in the provisional select list so issued on 05.04.2023 under Annexure-6 vide Roll No.3500130225.



7.1. But subsequently without assigning any reason when the impugned corrigendum was issued on 10.04.2023 by selecting Opposite Party No.5 in place of the Petitioner, the present Writ Petition was filed.

7.2. Since it is not disputed that Petitioner was found eligible to get the benefit of selection and appointment and because of the rival claim of the Petitioner vis-à-vis Opposite Party No.5, the impugned corrigendum under Annexure-7 was issued and at present 174 posts in the rank of Constable in the district of Sundargarh are lying vacant, this Court is of the view that no prejudice will be caused to anybody if Petitioner gets the benefit of appointment as against one of those vacant posts.

7.3. Therefore, while holding so and without interfering with the selection of Opposite Party No.5 so issued vide the impugned corrigendum under Annexure-7, this Court directs Opposite Party Nos.3 and 4 to provide appointment to the Petitioner as against post of Constable from out of the vacancies available at 174, as Petitioner was found eligible and his name was there in the select list so issued under Annexures-6.

7.4. This Court accordingly directs Opposite Party Nos.3 and 4 to complete the entire exercise within a period of six (6) weeks from the date of receipt of this order. However, it is observed that Petitioner will not



claim any seniority if he is provided with the appointment and he will be treated as a fresh appointee in the cadre of Constable.

8. Accordingly, the Writ Petition stands disposed of.

(Biraja Prasanna Satapathy)
Judge

Subrat

Signature Not Verified

Digitally Signed
Signed by: SUBRAT KUMAR BARIK
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 14-Aug-2026 18:21:20

