



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.A. No.1328 of 2024

Odisha Public Service Commission, Cuttack & another ***Appellants***

Mr. A. Behera, Advocate

-versus-

Dr. Sanjay Kumar Panda & another ***Respondents***

Mr. U.K. Samal, Advocate
(For Respondent No.1)

Mr. Saroj Kumar Jee, AGA
(For Respondent No.2)

CORAM:
JUSTICE DIXIT KRISHNA SHRIPAD
JUSTICE CHITTARANJAN DASH

ORDER

27.01.2026

Order No.

31. After hearing a very lengthy and passionate submission at the Bar, we are noticing several *lacunae* in the recruitment process that began way back in the year 2018. One such grave *lacunae* is as to hasty forwarding of first final select list to the Government for issuance of appointment orders, which eventually came to be issued, when a Co-ordinate Bench of this Court on 06.08.2018 had directed for furnishing the key answers of the examination held in connection with the subject



recruitment process. It hardly needs to be stated that the key answers are given to the candidates who have staked their claim for recruitment to make self-assessment of their performance in the examination and thereafter to make representation against placement or non-placement of their names in the select list based upon such self-assessment.

2. Though, learned Panel Counsel appearing for the Appellants-OPSC very passionately argued the matter seeking invalidation of a learned Single Judge's order, impugned herein, he is not in a position to tell us why the first final select list was forwarded to the Government when something had to be undertaken at the hands of OPSC in light of order dated 06.08.2018 of the Co-ordinate Bench. The present Secretary, Sri Bijay Kumar Khandayatray, on request, hastily appearing before us, assisted the Court. He tells that he was not the incumbent of the Office of Secretary, OPSC during the relevant period. On some enquiry, we learnt that one Mr. Kumuda Chandra Malick was the Secretary during the relevant period and therefore, he needs to be called to the Court to clarify certain doubts that have arising in the mind of the Court. We are told that he too has retired way back in



February, 2021. Be that as it may, his presence before us would facilitate a due adjudication of the *lis* at our hand.

3. In the above circumstances, we direct the Registry to send a police notice by way of emergent notice to Mr. Kumuda Chandra Mallick to appear before this Court on 09.02.2026. Police to search that person and serve the notice without putting forth any excuse. Non-service of the same would be viewed very seriously and disciplinary action may be ordered against the erring officials from the Police Department.

4. The State Government shall furnish all service particulars of Mr. Kumuda Chandra Mallick from the pension records to the jurisdictional police immediately.

5. The presence and assistance of the Secretary of OPSC-Mr. Bijay Kumar Khandayatray is appreciated. Registry to share a copy of this order with him.

Call this matter along with connected appeal listed today on 09.02.2026.

(Dixit Krishna Shripad)
Judge

(Chittaranjan Dash)
Judge