



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.20283 of 2026

Nilotpala Nayak

.....

Petitioner

Represented by Adv. -
Prafulla Kumar
Mohapatra, S.c. Sahoo

-versus-

State Of Odisha & Ors.

.....

Opposite Parties

Represented by Adv. –
Sasmita Nayak, A.S.C.

CORAM:

**THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA**

ORDER

06.07.2026

Order No.

01.

1. This matter is taken up through Virtual Mode.
2. Heard learned counsel for the Petitioner as well as learned Additional Standing Counsel for the State-Opposite Parties. Perused the writ application as well as the documents annexed thereto.
3. The Petitioner has filed the present writ application with the following prayer:

“The petitioner therefore prays that your Lordships may graciously pleased to:

- i) Direct the Opp. Parties to give appointment to the Petitioner under Rehabilitation Assistance Scheme, being the widow of deceased Govt. servant in the light of the benefits extended to contractual employees as per Govt. decision vide letter dated 10.11.2020 as at Annexure-8 taking into consideration the distress condition of the family;*
- ii) Pass such other orders/ directions as may be*



deemed fit and proper in the bonafide interest of justice.”

4. It is stated by learned counsel for the Petitioner that ventilating his grievance with regard to non-consideration of the case of the Petitioner for appointment under the uncompassionate ground under the OCS (RA) Rules, 1990, the Petitioner has approached the Opposite Party No.2, the Director of Elementary Education, Bhubaneswar by filing a representation dated 12.02.2024 at Annexure-9 to the writ application. Since no final decision has been taken on such representation, i.e., the same has not been communicated to the Petitioner, the Petitioner challenging such inaction has approached this Court by filing the present writ application.

5. Learned counsel for the State, on the other hand, contended that on a plain reading of writ application and the averments made therein, it appears that the Petitioner has already approached the competent authority for redressal of his grievance. She further submitted that in the event no final decision has been taken with regard to the grievance of the Petitioner, he will have no objection if this Court directs the competent authority, i.e., the Opposite Party No.2 to take a final decision with regard to the claim of the present Petitioner strictly in accordance with the applicable rules and within a stipulated period of time.

6. Having regard to the submissions made by counsels for the respective parties, on a careful examination of the background facts, further on a careful analysis of the submissions made and the documents attached to the writ application, this Court deems it



proper to dispose of the present writ application by granting liberty to the Petitioner to approach the Opposite Party No.2 by filing a detailed representation taking therein all the grounds along with all supporting documents within two weeks from today. In such eventuality, the Opposite Party No.2 shall consider the case of the Petitioner strictly in accordance with law taking into consideration the letter at Annexure-8 as well as the notification of the G.A. Department of the State Government dated 04.04.2025. The representation of the Petitioner shall be disposed of by passing a speaking and reasoned order within eight weeks from the date the Petitioner approaches the Opposite Party No.2 along with a certified copy of this order. The final decision so taken be communicated to the Petitioner within 10 days thereafter.

7. With the aforesaid observations/ directions, the writ application stands disposed of.

Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

Anil