



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.22045 of 2024

Ajit Kumar Tula @ Tulo

.....

Petitioner

Represented By Adv. -
Basudev Pujari

-versus-

1) State Of Odisha

.....

Opposite Parties

2) Secretary Orissa Sub Ordinate Staff
Selection Commission
3) The Collector And District
Magistrate Rayagada

Represented By Adv. -
Mr.M.R.Patra, ASC

CORAM:

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

ORDER

03.03.2025

Order No.

05.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as the learned Additional Standing Counsel for the State.
3. In course of his argument, learned counsel for the Petitioner contended that contractual post against which the Petitioner was appointed on outsourcing basis was created with the concurrence of Finance Department.
4. Learned Additional Standing Counsel for the State on the other hand referred to the instruction dated 19.02.2025. The said instruction reveals that the Petitioner had been engaged under NSAP Scheme of SSEPD Department in the Office of the DSSO, Rayagada on outsourcing basis from 01.12.2015. Moreover, a copy of the experience certificate has been enclosed



to such instruction, which reveals that the same has been issued by the DSSO, Rayagada indicating that the Petitioner has been engaged through outsourcing Agency on contractual basis with effect from 01.12.2015 to 07.03.2019.

5. On perusal of the relevant Rules, it appears that the Petitioner is eligible to get extra mark. It is also seen that the contractual post against which the Petitioner was engaged through outsourcing agency was created with the concurrence of the Finance Department. In such view of the matter learned Additional Standing Counsel shall obtain instruction as to whether the contractual post against which the Petitioner was working was created with the concurrence of the Finance Department.

6. List this matter in the week commencing from 24th March, 2025.

(A.K. Mohapatra)
Judge

RKS