

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 26004 of 2022

Jyoti Sankar Baliarsingh

.....

Petitioner

Mr. N.R. Routray Adv.

Vs.

Union of India and others

.....

Opposite Parties

Mr. S.B. Panda, CGC

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE B.P. SATAPATHY

ORDER

04.11.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. N.R. Routray, learned counsel for the petitioner.
3. The petitioner has filed this writ petition seeking to quash the order dated 29.08.2022 passed in O.A. No. 260/0001017 of 2012, by which the Central Administrative Tribunal, Cuttack Bench, Cuttack rejected the claim of the petitioner by dismissing the original application.
4. Mr. N.R. Routray, learned counsel for the petitioner contended that this is the second journey of the petitioner to this Court. Earlier, the petitioner had approached this Court by filing W.P.(C) No. 3318 of 2018, which was disposed of vide order dated 12.07.2022, remitting the matter back to the tribunal for reconsideration of the case of the petitioner for appointment in Group-D post taking into consideration his qualification. But, after the matter was remitted back, the tribunal took into consideration RBE No.137 of 2010 and came to hold that the same has undergone a change and, thereby, there is no need of engagement of substitute in East Coast Railway Zone in the final stage of recruitment of 5200 Group-D staff and, as such, his case will be considered along with others, as per the guidelines of RBE

No.137/2010, wherever there will be a need in future. It is contended that on the one hand the tribunal stated that RBE No.137/2010 has undergone change and on the other hand it is stated that the case of the petitioner will be considered as per the guidelines of RBE No.137/2010. It is contended that the tribunal has committed error to that extent.

5. In the opinion of this Court, the matter requires consideration.

6. Issue notice.

7. Three extra copies of the writ petition be served on Mr. S.B. Panda, learned Central Government Counsel appearing for opposite parties no.1 to 3 within three working days enabling him to obtain instructions or file counter affidavit.

Ashok/Sangita

