



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30020 of 2023

Trailokya Nayak and others ***Petitioners***

Mr. B. P.B. Bahali, Advocate

-versus-

State of Odisha and others ***Opposite Parties***

Mr. P.P. Behera, ASC

CORAM: JUSTICE SANJAY KUMAR MISHRA

ORDER

22.12.2025

Order No.

11.

This matter is taken up through hybrid mode.

2. Heard Mr. Bahali, learned Counsel for the Petitioners so also Mr. Behera, learned ASC for the State-Opposite Parties.

3. During hearing, learned Counsel for the Petitioners submits, the Petitioner Nos.3, 5, 13 & 14 namely, Dibya Ranjan Mallick, Bijaya Kumar Rout, Subash Chandra Khuntia and Debaraj Swain respectively qualified in the test, to be appointed as Fireman and Fireman Driver.

4. Petitioners Nos.3, 13 & 14 applied under the Home Guard category, whereas, Petitioner No.5, namely, Bijaya Kumar Rout applied under SEBC category.

5. Mr. Bahali submits, in the meantime W.P.(C) No.29964 of 2023 and batch (***Hiranya Kumar Samala and others Vs. State of Odisha and others***) got disposed of by the co-ordinate Bench vide a common judgment dated 28.11.2025, wherein a similar issue has already been decided.



6. Learned Counsel for the Petitioners further submits, the case of the Petitioners, who qualified in the test, are squarely covered by the said judgment. That apart, as reflected in para 7.1 at page No.23 of the said judgment, the name of the present Petitioner No.5, namely, Bijaya Kumar Rout appears, who has been selected for the post of Fireman Driver.

7. Mr. Bahali files website copy of the said judgment in the Court after handing over a copy of the same to the learned counsel for the State, which be kept on record.

8. Learned Counsel for the Petitioner further submits, since the case of the Petitioner No.5 has already been considered for appointment in the post for Fireman Driver, his name be deleted from the cause title.

9. In view of such oral submission made by the learned Counsel for the Petitioners, office is directed to delete the name of Petitioner No.5 from the cause title of the writ petition.

10. Mr. Behera, learned ASC for the State, prays for a short adjournment to take instruction regarding correctness of the submission made by the learned Counsel for the Petitioners.

11. At this stage, Mr. Bahali, learned Counsel for the Petitioners submits, even if Petitioners Nos.3, 13 & 14 have qualified in the test, unless, as an interim, they are protected till the next date, there is every possibility that the authority concerned may fill-up the remaining posts of Fireman and Fireman Driver and the writ petition will become infructuous.



12. Hence, it is made clear that, if the submission made by Mr. Bahali, learned Counsel for the Petitioners regarding selection of Petitioner Nos.3, 13 & 14 is found to be correct, two posts of “Fireman” and one post of “Fireman Driver” shall not be filled up till the next date.

13. The matter be listed on 9th January, 2026, as prayed for.

14. Instruction, if any, be obtained unfailingly in the meantime.

15. Urgent certified copy of this order be granted as per rules.

Kanhu

(S. K. MISHRA)
JUDGE