



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.27350 of 2024

Subhalaxmi Nayak

...

Petitioner

Mr. S.C.D.Dash, Advocate

-versus-

State of Odisha and Others

...

Opposite Parties

Mr. A. Pradhan, ASC

**CORAM:
JUSTICE G. SATAPATHY**

**ORDER(ORAL)
08.11.2024**

**W.P.(C) No.27350 of 2024 & I.A. No.14731 of
2024**

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. This is a writ petition by the petitioner seeking to quash the impugned order dated 25.10.2024 passed by the B.D.O., Delanga under Annexure-6 with further direction to the opposite parties to allow the petitioner to work as a Community Resource Person (CRP), Jenapur Grama Panchayat Level Federation under Delanga block in the District of Puri.

3. Mr. S.C.D. Dash, learned counsel for the petitioner submits that although the petitioner-Subhalaxmi Nayak and OP No.4-Rojalini Mohanty have been appointed separately as CRP and MBK on 14.11.2023, but subsequently after receipt of some



allegation, the service of OP No.4-Rojalini Mohanty was terminated as MBK, but facts remains that subsequent to termination of Rojalini Mohanty, the authority concerned i.e. the B.D.O., Delanga has issued a fresh appointment order in favour of Rojalini Mohanty to work as CRP without either assigning any work to the petitioner or removing her from the post of CRP and, therefore, such order of appointment of two persons against one post without terminating the incumbent is unsustainable and illegal and, therefore, such order is liable to be interfered with.

4. In view of the aforesaid submission, this Court does not wish to pass any order without seeking response from the opposite parties, however, Mr. A. Pradhan, learned ASC is requested to obtain instruction in the matter as to how two persons have been appointed on the same post by next date.

6. List this matter on 7th December, 2024.

7. As an interim measure, if the petitioner has not yet been removed from service as CRP as on today, she shall not be removed from service afterwards without taking leave of this Court.

(G. Satapathy)
Judge

S. Sasmal

Signature Not Verified

Digitally Signed
Signed by: SUBHASHMITA SASMAL
Reason: Authentication
Location: High Court of Orissa
Date: 11-Nov-2024 11:08:04

