



**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**WP(C) Nos. 20008, 20016, 24471, 28359, 28489, 28595, 28684,**  
**28752 & 33184 of 2024 and W.P.(C) No. 2901 of 2025**

**WP(C) No. 20008 of 2024**

***Rabi Narayan Patro***

.....

***Petitioner***

Mr. D.K. Panda, Advocate  
Mr. T. Patnaik, Advocate

-versus-

***State of Odisha & Ors.***

.....

***Opposite Parties***

Mr. C.K. Pradhan, AGA

**CORAM:**

**THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER**

**05.03.2026**

**Order No. 05**

1. This matter is taken up through hybrid mode.
2. Heard Mr. D.K. Panda, learned counsel along with Mr. T. Patnaik, learned counsel appearing for the Petitioners in the present batch of writ petitions and Mr. C.K. Pradhan, learned Addl. Govt. Advocate appearing for the Opp. Parties.
3. Since the issue involved in the present batch of writ petitions is identical, all the matters were heard analogously and disposed of by the present common order.
4. It is the grievance of the Petitioners in the present batch of writ petitions is that pursuant to the advertisement issued on 24.02.2023 under Annexure-1, Petitioners could not get the benefit of appointment as they could not come within the zone of consideration taking into account the vacancy reflected in the advertisement in question.



4.1. It is however contended that all the selected candidates recommended for appointment, since have not joined and Petitioners' name were in the provisional master merit list so published on 07.12.2023 by the Commission, they were eligible and entitled to get the benefit of appointment against the vacancies remained unfilled due to non-joining of the recommended/selected candidates.

4.2. It is further contended that similar issue has been decided by this Court in its order dtd.28.01.2024 in W.P.(C) No. 10034 of 2022 and further order dtd.12.03.2024 in W.P.(C) No. 33636 of 2023. It is further contended that taking into account the nature of order passed by this Court in W.P.(C) No. 10034 of 2022 and W.P.(C) No. 33636 of 2023, the Commission had made subsequent recommendation to the Govt. to provide appointment to the Petitioners therein against the available vacant post.

4.3. It is accordingly contended that Petitioners being similarly situated, the Commission be directed to recommend the names of the present Petitioners for their appointment against the available vacant post to the Departments i.e. Revenue & Disaster Management, Panchayatiraj Department as well as School & Mass Education Department.

5. Learned Addl. Govt. Advocate on the other hand contended that since Petitioners at no point of time have ventilated their grievance before the appropriate authority for recommendation, taking into account the vacancy available, if any, the writ petitions at the threshold are not maintainable.

6. Having heard learned counsel appearing for the Parties and considering the submission made and placing reliance on the order



passed in W.P.(C) No. 10034 of 2022 and W.P.(C) No. 33636 of 2023, this Court while disposing the present batch of writ petitions, permits the Petitioners to move individual representation before Opp. Party No. 2 for recommendation of their names against the available vacancy to either of the 3 Departments so indicated hereinabove.

6.1. It is observed that if any such individual representation is moved before Opp. Party No. 2, the said Opp. Party shall do well to take a lawful decision on the same within a further period of three (3) months from the date of receipt of such representation.

6.2. Petitioners are directed to provide copy of this order along with the representation and so also the order passed in W.P.(C) No. 10034 of 2022 and W.P.(C) No. 33636 of 2023 and other citations, if any in support of their claim before Opp. Party No. 2 for compliance. Opp. Party No. 2 after such consideration, if recommend the names of the Petitioners, appropriate follow up action be taken by the concerned Department without any further delay.

7. All the writ petitions accordingly stand disposed of.

Photo copy of the order be placed in the connected case records.

**(BIRAJA PRASANNA SATAPATHY)**  
**Judge**

*Sneha*

Signature Not Verified

Digitally Signed  
Signed by: SNEHANJALI PARIDA  
Reason: Authentication  
Location: High Court of Orissa, Cuttack  
Date: 06-Mar-2026 11:12:57

