



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C). No. 31637 of 2024

Lokanath Behera

....

Petitioner

Mr. K.C. Sahu, Advocate

-versus-

State of Odisha & Others

....

Opp. Parties

Mr. D. Nayak, AGA

CORAM:

THE HON'BLE MR. JUSTICE CHITTARANJAN DASH

ORDER

20.12.2024

Order No.

01. 1. Heard learned counsel for Petitioner and the State.
2. By means of this application, the Petitioner prays
for the following relief:-

“It is, therefore, prayed that Hon’ble Court be graciously pleased to allow this writ petition by quashing the impugned orders of rejection dtd. 24.11.2023 under Annexure-15 and order dtd. 07.11.2024 under Annexure-16 by further directing the Opp. parties for providing order of appointment in favour of the petitioner under R.A Scheme as per the provisions of OCS (R.A) Rules 1990 prevailing on the



date of death of his father within a time bound period for the interest of justice.

And may further be pleased to pass any other order(s), direction(s) as deems fit & proper for the bona fide interest of justice.

And for this act of kindness, the petitioner shall as in duty bound ever pray;”

3. It is contended by the learned counsel for the Petitioner that this is the third successive journey of the Petitioner for redressal of his cause as against the first challenge made on the action of the authority, the Petitioner has moved before this Court in W.P.(C) (OAC) No. 2213 of 2017 wherein this Court vide order dated 06.09.2022 disposed of the same with the following direction:-

“4. It is submitted that the issue involved in the Writ Petition has been decided by this Court in its order dated 21.08.2017 passed in W.P.(C) No.18981 of 2016

5. In view of that, the present Writ Petition is also disposed of in the light of the direction issued in the aforesaid W.P.(C) No. 18981 of 2016.”.



4. Subsequent to the said direction passed by this Court, the Petitioner did not get the relief from the authority which was rejected under Annexure-10 whereafter the Petitioner again moved before this Court in W.P.(C) No.23467 of 2023 and the Co-ordinate Bench of this Court vide order dated 03.08.2023 passed an exhaustive order, once again remanding back the case to the Opposite Parties with a direction to comply the same in accordance with the judgment of the Hon'ble Supreme Court in the matter of *Malaya Nanda Sethi -Vrs. State of Odisha reported in 2022 (II) OLR (SC) 1* and *The State of West Bengal -Vrs.- Debabrata Tiwari & Ors* as well as the order of this Court in Subash Chandra Khatua decided on 03.03.2023 in Civil Appeal No. 8842-8855 of 2022, wherein the authority once again turn down the claim of the Petitioner vide Annexure-15.

5. Issue notice to the Opposite Parties on question of admission.

6. Since learned Mr. Nayak, learned AGA accepts notice on behalf of all the Opposite Parties, no notice need be issued to them. An extra copy of the brief be served on him within a week.



7. List this matter in the next sitting of this Bench after ensuing winter holidays.

8. Counter, if any, be filed in the meantime, the copy thereof be served on the learned counsel for the Petitioner in advance.

(Chittaranjan Dash)
Judge

Bijay

