

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.25281 of 2023

Pritirekha Parida

....

Petitioner

Mr. Pratik Dash, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr.N.K. Praharaj, A.G.A.

**CORAM:
JUSTICE A.K. MOHAPATRA**

**ORDER
09.08.2023**

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned Additional Government Advocate appearing for the State-Opposite Parties. Perused the writ petition as well as the documents annexed thereto.
3. The present writ petition has been filed by the Petitioner with the following prayers:-

“In this circumstances, it is most respectfully prayed that your Lordship’s be graciously pleased to issue a Rule Nisi calling upon the Opposite Party to show cause as to why:-

i) The final merit list dated 30.05.2023 under

Annexure-3 shall not be declared illegal, arbitrary, unreasonable in eye of law and as such shall not be quashed.

- ii) Direction shall not be issued to the Opp. Parties to give appointment to the post of CRP-CM to the petitioner on the basis of the marks secured in the provisional list an having fulfilled the eligibility criteria.*
- iii) As to why any other relief/relief(s) that would deem fit and proper shall not be granted.*

If the Opp. Parties fail to show cause or show insufficient cause, the said Rule Nisi be made absolute.”

4. It is submitted by the learned counsel for the Petitioner that Pursuant to an advertisement, the Petitioner submitted her candidature for appointment as CRP-CM for Sirabali Community Level Federation under Marshaghai Block. After initial round of selection by the Selection Committee, a provisional merit list was prepared. Learned counsel for the Petitioner referring to the said provisional list under Annexure-3 to the writ petition, submitted that the Petitioner name appeared against Serial No.1 of the provisional list. However, the authorities again published the final merit list wherein the Petitioner has been placed against Serial No.3. It is also contended by the learned counsel for the Petitioner that one Anjali Das-Opposite Party No.8 whose name was not there in the provisional merit list has been placed against Serial No.1 of the final merit list. Being aggrieved such foul

play by the Opposite Parties, the Petitioner has approached this Court by filing this present writ petition.

5. Learned Additional Government Advocate appearing for the State-Opposite Parties, on the other hand, submitted that after publication of provisional merit list, objections were invited and considering the objections, the final merit list has been published. However, he further submitted that the Petitioner has not approached the competent authority, i.e., the Block Development Authority, Marshaghai Block before approaching this Court. Accordingly, learned Additional Government Advocate submitted that the Petitioner be directed to approach the Block Development Authority, Marshaghai Block, who shall examine the matter and pass necessary order and he has no objection to the same.

6. Considering the submissions made by the learned counsel for the respective parties and upon a careful examination of the background facts of the present case as well as the documents annexed to the writ petition, this Court deems it proper to dispose of the writ petition at the stage of admission by directing the Petitioner to approach the Opposite Party No.2- Block Development Authority, Marshaghai Block by filing a fresh and detailed representation taking therein all the grounds along with supporting documents within three weeks from today. In the

event such representation is filed, the same shall be considered in accordance with law within a period of six weeks from the date of presentation of such representation by the Opposite Party No.2. Before taking any final decision in the matter, the Opposite Party No.2 shall provide an opportunity of hearing to the parties who are likely to be affected by such decision including Petitioner and the selected candidate. The decision so taken thereon shall be communicated to the Petitioner within two weeks thereafter. It is further directed that till the final decision is taken on the representation of the Petitioner as has been directed hereinabove, no appointment shall be made for a period of eight weeks.

7. With the aforesaid observation and direction, this writ petition stands disposed of.

(A.K. Mohapatra)
Judge