
(2023) 04 OHC CK 0068
In the Orissa High Court
Case No : RVWPET No.231 Of 2017

Chintamani Mohanty

APPELLANT

Vs

State Of Orissa & Ors

RESPONDENT

Date of Decision : 06-04-2023

Acts Referred:

Citation : (2023) 04 OHC CK 0068

Hon'ble Judges : Dr B.R. Sarangi, J;M.S.Raman, J

Bench : Division Bench

Advocate : A.K. Mishra

Final Decision : Disposed Of

Judgement

1. This matter is taken up through hybrid mode.
2. Heard petitioner in person and Mr. A.K. Mishra, learned Additional Government Advocate appearing for the State-opposite parties.
3. The petitioner has filed this petition seeking to review the order dated 02.03.2016 passed by this Court in W.P.(C) NO.23146 of 2015.
4. Petitioner-Chintamani Mohanty vehemently contended that since there is dispute with regard to his height, direction may be issued for reconsideration of the same by the authority.
5. Mr. A.K. Mishra, learned Additional Government Advocate appearing for the State-opposite parties contended that there is no dispute with regard to height and whatever dispute had arisen has been resolved. The candidates having secured 46 marks and more, have been given appointment and no vacancy is available. As such, the petitioner has not made the selected candidates as parties. Therefore, this Court, while adjudicating the matter, passed the order impugned, which is well justified.
6. Considering the contentions raised by the petitioner and learned Additional

Government Advocate appearing for the State-opposite parties, it appears that the allegation of the petitioner before the Tribunal was that the candidates securing 46 marks have been selected whereas he having also secured 46 marks, has been left out, but the Tribunal found from the records that the candidates at Serial Nos.518 and 519 of the select list, being senior in age to the said petitioner, were given appointment and, consequentially, no vacancy was available to accommodate the petitioner. Apart from the same, with regard to the plea of the petitioner introduced by way of rejoinder that some of the candidates, who remained absent at the time of selection, have been selected, but fact remains the said applicants were not made as parties to the O.A., and therefore, the Tribunal refused to entertain the said plea.

7. In view of the above, the petitioner has not made out a case to review the order of this Court. Accordingly, this Court does not find any reason to review the order dated 02.03.2016 passed in W.P.(C) No.23146 of 2015. Thereby, the review petition stands disposed of.

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