

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No.20 of 2022**

**Prasanna Kumar Mohnaty .... Petitioner**

*-versus-*

**State of Odisha and others .... Opp. Parties**

**COROM:  
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER  
19.10.2022**

**Order No**

3. 1. This matter is taken up through hybrid mode.
2. Heard Mr. Sidheswar Mallik, learned counsel appearing for the Petitioner and Mr. Y.S.P. Babu, learned Additional Government Advocate appearing for the State-  
Opposite Parties.
3. This writ petition has been filed by the Petitioner challenging the order of promotion extended in favour of the Opposite Parties No.7 and 8 vide order dated 29.12.2021 under Annexures-7 to the writ petition.
4. It is submitted that for the recruitment year 2020, the case of the Petitioner was duly recommended by the Opposite Party No.5-Collector, Kendrapara under Annexure-3 to the writ petition and in the said recommendation, the CCR of the Petitioner for the entire period, i.e., for the year 2014-15 and 2018-19 were also forwarded to the office of the Revenue Divisional

Commissioner (Central Division), Cuttack. It is further submitted that though CCR for the entire period of 5 years was shown as outstanding and the same was forwarded vide letter dated 4.12.2020 under Annexure-3 to the writ petition, but the case of the Petitioner was not considered by the selection committee in its proceeding dated 5.11.2021 and accordingly, he was denied the benefit of promotion while his juniors like Opposite Parties No.7 and 8 were given promotion vide the impugned order at Annexure-7 to the writ petition.

5. Counter affidavit has been filed by the State through Opposite Parties No.2 and 3 wherein it has been indicated that since CCR of the Petitioner for the entire period in question was not available with the selection committee, the case of the Petitioner was not considered. Another affidavit has been filed by the Opposite Party No.4 and 5 wherein it has been clearly indicated at paragraph-6 that the CCRs for the entire period in question was forwarded to the office of the Revenue Divisional Commissioner (Central Division), Cuttack vide Annexure-3.

6. This Court, after going through the materials available on record, more particularly the documents annexed vide Annexure-4 to the writ petition and the CCR of the Petitioner for the entire period in question as communicated to the office of the Revenue Divisional Commissioner (Central Division), Cuttack under Annexure-3 and the CCR of the Petitioner for the entire 5 (five) years were communicated with the remark outstanding, finds that the stand taken by the Opposite

Parties No.2 and 3 that due to incomplete CCR for the period in question, the case of the Petitioner was not considered, is not convincing. Since Opposite Parties No.4 and 5 in their counter affidavit have taken the stand that the CCRs for the entire period in question was forwarded to the Revenue Divisional Commissioner (Central Division), Cuttack vide Annexure-4 to the writ petition, the claim of the Petitioner was required to be considered.

7. In the above background, this Court, while disposing the writ petition, directs the Opposite Party No.2 to convene a review D.P.C. and consider the case of the Petitioner taking into account the CCRs forwarded vide Annexure-4 to the writ petition. On such review of the matter, if it is found that the Petitioner is eligible for his promotion to the rank of Odisha Revenue Service (ORS) (Group-B) for the recruitment year-2020, necessary order of promotion be issued in his favour from the date his juniors were given such promotion vide the impugned order under Annexure-7 to the writ petition with all consequential service and financial benefits. The entire exercise shall be completed within a period of three months from the date of receipt of this order.

8. With the aforesaid observation and direction, the writ petition is disposed of.

**(Biraja Prasanna Satapathy)**  
**Judge**