

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 12744 of 2012

Biranchi Narayan Tripathy

.....

Petitioner

Mr. S.C. Mishra, Advocate

Vs.

State of Odisha & Others

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

07.04.2022

Order No.

05

This matter is taken up through hybrid mode.

2. Heard Mr. S.C. Mishra, learned counsel for the petitioner.
3. The petitioner has filed this writ petition challenging the order dated 27.03.2012 passed by the Central Administrative Tribunal, Bhubaneswar in O.A. No.55 of 2012.
4. Mr. S.C. Mishra, learned counsel for the petitioner contended that whenever the gradation lists both provisional and final were published, the petitioner submitted his representations against such gradation lists but he has not received any reply to those representations. He further contended that when the provisional gradation list was published in 2003-04, the petitioner had filed his objection on 29.11.2003 specifically mentioning therein to count his seniority against T.G. post with effect from 24.12.1988 i.e. when he was working as Head Pandit of Ranpur Madhyama Sanskrit Tol, which is equivalent to Jr. SES/TG post, and to make necessary correction in the gradation list, but no reply was received. Therefore, the petitioner approached the tribunal seeking direction to the opposite parties to count his seniority in

the Jr. SES cadre with effect from 24.12.1988 and extend all consequential benefits in his favour. But the tribunal did not entertain the O.A. by holding that the petitioner claims the benefit of TG post as against the post of Jr. SES cadre, in which he was working, with effect from 24.12.1988, but he filed the original application on 26.03.2012, i.e. 24 years after the cause of action arose, and by so holding rejected the O.A. on the ground of delay.

5. Having heard learned counsel for the petitioner and after going through the order impugned, this Court is not inclined to differ with the view taken by the tribunal.

6. The writ petition thus merits no consideration and the same is hereby dismissed.

(DR. B.R. SARANGI)
JUDGE

(SAVITRI RATHO)
JUDGE

Alok/Sukanta

