

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 6694 of 2013

Rasananda Das

.....

Petitioner

Mr. N. Sarkar, Advocate

Vs.

State of Orissa & Others

.....

Opposite parties

Mr. B.P. Tripathy, A.G.A.

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

16.03.2022

Order No.

24.

This matter is taken up through hybrid mode.

2. Heard Mr. N. Sarkar, learned counsel for the petitioner and Mr. B.P. Tripathy, learned Additional Government Advocate for the State.

3. The petitioner has filed this writ petition assailing the order dated 27.02.2013 passed by the Odisha Administrative Tribunal, Cuttack Bench, Cuttack in O.A. No.255(C) of 2011 vide Annexure-17, whereby while disposing of the original application the tribunal has directed the Government not to fill up the reserved category vacancies with unreserved category personnel by way of promotion and should follow the 80 point Roster Register strictly, and in case adequate eligible reserved candidates are not available, such reserved category posts should be kept vacant.

4. As it appears, the order impugned clearly indicates that the Rule 45 of the Indian Electricity Rules, 1956 prescribes possession of a B class Electrician certificate for handling

Electrical Machineries and, as such, instructions had been introduced, as per notification no.45653(ii)/Vet dated 22.12.1990, and the petitioner cannot impugn such instructions in the original application in June, 2011, i.e., after abnormal delay nor can challenge promotions undertaken in the year 1994 as per Annexure-8 and in the year 1999 as per Annexure-11.

5. In the above view of the matter, since there was delay and laches in filing the original application, this Court is not inclined to interfere with the order of the tribunal. Accordingly, the writ petition merits no consideration and the same is hereby dismissed. Consequentially, the order passed by the Tribunal is confirmed.

