

**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**W.P.(C) No.4546 of 2022**

***Prakash Chandra Maharna and        ....        Petitioners***  
***Ors.***

*Mr. Sameer Kumar Das, Adv.*

-versus-

***State of Odisha and Ors.        ....        Opposite Parties***  
*Mr. Biswajit Mohanty, SC*  
*(for S & ME Deptt.)*

**CORAM:**  
**MR. JUSTICE S.K. PANIGRAHI**

**ORDER**  
**28.02.2022**

**Order No.**

01.

1. This matter is taken up through hybrid arrangement.
2. Heard learned counsel for the parties.
3. In this writ petition, the petitioners have prayed for a direction to the opposite party no.1 to consider their grievances which have been set out in their representation with regard to inter-se seniority vis-à-vis LSES cadre teachers who have prayed for retrospective promotion to the Junior SES by affecting their seniority.
4. The entire issue involved in this case was brought to the notice of this Court earlier and this Court vide common order dated 24.02.2021 passed in CONTC No.1097 of 2018, W.P.(C) Nos.6099, 6443, 6601 of 2018, RVWPET No.219 of 2019 and W.P.(C) No.22027 of 2019 directed the opposite party no.1 to take a decision and pass a reasoned order regarding the inter-se seniority within a period of three months. The said order was challenged by the opposite parties/ State before the apex Court. The apex Court vide order dated 27.01.2022 passed in SLP (C) Nos.7408 and 7413 of 2021 while confirming the order passed by

the Division Bench of this Court, directed the State Government/ opposite parties to consider the matter relating to inter-se seniority within a period of four months from the date of receipt of the order. Since the petitioners were not made parties before the Orissa Administrative Tribunal and their right and interest are prejudicing in the prospective decision taken by the Government, it is imperative that the petitioners are also to be heard at the time of hearing of the cases.

5. In view of such facts, the petitioners are allowed to put-forth their grievances before the authority concerned.

6. In the light of the above observations, this writ petition is disposed of.

7. Urgent certified copy of this order be granted on proper application.

**( S.K. Panigrahi )**  
**Judge**

BJ

