

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.6451 of 2022

Ashok Kumar Mishra

....

Petitioner

Ms. Saswati Mohapatra, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. Y.S.B. Babu, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

30.03.2022

Order No.

01.

1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned counsel for the State. Perused the record.
3. The present writ petition has been filed by the petitioner with a direction to the State Opposite Parties to promote the petitioner to the post of Sr. Assistant in terms of the order dated 16.11.2020 under Annexure-8 with all consequential service and monetary benefits.
4. It is submitted by learned counsel for the petitioner that this is the second round litigation at the instance of the petitioner. Earlier the subordinate Bench of this Court was disposed of the matter after hearing the parties. While considering the representation of the petitioner, the Joint Secretary to Government, G.A. & P.G. Department has come to a conclusion that some irregularities/illegalities made by OAT in the DPC and accordingly, a decision was taken to conduct a DPC Meeting to review the decision taken in the DPC. The same evidence found from the order dated 16th

November, 2020 under Annexure-8.

5. Learned counsel for the petitioner further submits that although the Government has taken a decision for review committee meeting to reconsider on 18.03.2020 but till date no DPC meeting to review has been convened. So far as the present writ petition has been filed by the petitioner to direct the Opposite Party No.1 to convene a review meeting as has been recommended on 16.11.2020 under Annexure-8.

6. Learned counsel for the State submits that he has no objection, if a direction is given to the Opposite Party No.1 to act in accordance the letter dated 16th November, 2020 and decision be taken within a stipulated period of time.

7. Considering the aforesaid submissions made and considering the limited nature of prayer, this Court disposes of the writ petition with a direction to the Additional Secretary to Government of Odisha, General Administrative Department, Bhubaneswar-Opposite Party No.1 to convene the review DPC as far as possible in accordance with law within a period of two months from the date of production of certified copy of this order and proceed as has been made in the letter dated 16th November, 2020. Any decision taken on the review committee, the same shall be communicated to the Petitioner within a period of two weeks thereafter.

8. With the aforesaid direction, the writ petition stands disposed of.

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

