

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.8351 of 2022

Bhakta Naik

..... Petitioner
Mr.K.P.Mishra, Sr. Advocate

-versus-

State of Odisha and others

..... Opposite Parties
Mr. Y.S.P.Babu, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

Order No.

ORDER
18.04.2022

- 00.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard Mr.K.A.Guru, learned counsel for the Intervener.
 3. Initially a writ petition bearing W.P.(C) No.6531 of 2022 was filed by the learned counsel for the Petitioner challenging the gradation list. Subsequently, he filed a representation which was rejected. Provisional gradation list was published after filing his objection. The Petitioner filed another writ application bearing W.P.(C) No.8351 of 2022. Both the matters were listed on 04.04.2022. When the matter was reached that writ petition was withdrawn by the learned counsel for the Petitioner under the impression that he will conduct the subsequent writ application, which has been filed after publication of the provisional gradation list. Accordingly the first matter was permitted to be withdrawn.
 4. This Court disposes of the matter to consider the objection of the Petitioner keeping in view that there is a judgment in the case of

Jarnail Singh & others v. Lachhmi Narain Gupta & others, Civil Appeal No.629 of 2022 (Arising out of SLP(C) No.30621 of 2011 Mr.Guru, learned counsel appearing for intervener submits that any decision that would be taken pursuant to the order passed by this Court adversely affects his right. He further submits that if an opportunity is given to the Caveator he has no objection.

5. Considering the submissions advanced by both the parties, this Court directs that the order dated 04.04.2022 shall remain intact. However, the authority while carrying out the direction contained in paragraph-7 of the order shall provide an opportunity of hearing to the Caveator Mr.B.S.Patnaik. Further after hearing all concerned likely to be affected adversely shall file a final order.

10. Issue urgent certified copy as per Rules.

RKS

