

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.9880 of 2022

Nabin Chandra Patel

....

Petitioner

Mr. Prafulla Kumar Mohapatra, Adv.

-versus-

State of Orissa and Ors.

....

Opposite Parties

*Mr. Debasis Mohapatra, SC
(for S & ME Deptt.)*

CORAM:

DR. JUSTICE S.K. PANIGRAHI

ORDER

17.08.2022

**Order
No.**

01. 1. This matter is taken up through hybrid arrangement.
2. Heard.
3. Learned counsel for the petitioner submits that though similarly situated persons have been granted benefit of promotion retrospectively on the basis of gradation list submitted by the Director, Secondary Education, Orissa, Bhubaneswar, whereas the case of the present petitioner has not been considered by the authority which should have been granted in accordance with the order dated 16.09.2016 passed in O.A. No.3885(C) of 2012 and batch of applications by the Orissa Administrative Tribunal,

Cuttack Bench, Cuttack. The said order was not challenged by the authority before this Court. However, a contempt petition i.e. CONTC (CPC) No.214 of 2017 was filed by one Pratyusa Kumar Das wherein this Court has directed to comply the order dated 16.09.2016 passed in O.A. No.3885(C) of 2012. Learned counsel for the petitioner further submits that the petitioner has filed a representation before the opposite party No.1- Commissioner-cum-Secretary, School and Mass Education Department, Odisha, Bhubaneswar. However, there is no proof of submission of representation before the opposite party No.1.

4. In such view of the matter, the opposite party No.1- Commissioner-cum-Secretary, School and Mass Education Department, Odisha, Bhubaneswar is directed to consider and dispose of the representation of the petitioner, if it has been submitted, or else the petitioner is directed to submit a fresh representation which will be considered and disposed of by the opposite party No.1- Commissioner-cum-Secretary, School and Mass Education Department, Odisha, Bhubaneswar within a period of three months from the date of presentation of

fresh representation along with a certified copy of this order and a copy of the Writ Petition.

5. Accordingly, this Writ Petition is disposed of.

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

B.Jhankar



(Dr. S.K. Panigrahi)
Judge