

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C)No.18268 of 2022
Prakash Chandra Tripathy **Petitioner**

-versus-

State of Odisha & Others **Opposite Parties**

COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
08.08.2022

Order No

01. 1. This matter is taken up through Hybrid Mode.

2. Heard Mr. S.S. Das, learned counsel for the Petitioner and Mr. A. P. Das, learned Addl. Standing Counsel.

3. The Petitioner is aggrieved by the non-correction of his date of joining as a D.L.R. in the establishment of Opposite Party No.3. It is submitted that even though the Petitioner joined as a D.L.R. on 18.10.1990, but in the gradation list published by Opposite Party No.3, his date of joining was reflected wrongly as 16.08.1994. It is further submitted that seeking such correction of his date of joining though the petitioner approached the Learned Tribunal, but learned Tribunal vide its order dated 29.07.2016 under Annexure-9 was not inclined to entertain such prayer. The said order passed by the learned Tribunal was also affirmed by this Court in its order dated 20.12.2017 under Annexure-10. It is however submitted that subsequent to such order passed by the learned Tribunal and by this Court, on enquiry it has been

indicated in Annexure-15 by the self same Executive Engineer that the initial date of joining of the Petitioner is 18.10.1990. It is further submitted that basing on such communication under Annexure-15, a gradation list of D.L.Rs was also published by the office of Opposite Party No.2 by indicating the date of joining

of the Petitioner as 18.10.1990. It is submitted that even though such correction has been reflected in the gradation list published under Annexure-16, but till date the entry made in the gradation list published by the office of Executive Engineer has not yet been corrected.

4. In that view of the matter, this Court permits the Petitioner to approach Opposite Party No.2 seeking correction of his date of joining as DLR. It is observed that if any such application is made by the petitioner before Opposite Party No.2 within two weeks from today, the said Opposite party No.2 shall take a fresh decision without being guided by the earlier order passed by the learned Tribunal and confirmed by this Court and take a fresh decision basing on the communication issued under Annexure-15 and the gradation list issued under Annexure-16. The said Opp. Party No.2 shall take a fresh decision basing on Annexure-15 and 16 within a period of three months from the date of receipt of the same and communicate the result of such exercise to the petitioner.

5. Accordingly, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

Sangita