

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**W.P.(C) No. 18741 of 2016**

***Chief Secretary, Government  
of Odisha & Another***

.....

***Petitioners***

*Mr. S.N. Nayak, A.S.C.*

Vs.

***Tapan Kumar Rout & Others***

.....

***Opposite parties***

*Mr. R.K. Bisoi, Advocate  
(O.P.1)*

**CORAM:**

**DR. JUSTICE B.R. SARANGI  
MISS JUSTICE SAVITRI RATHO**

**ORDER**

**12.05.2022**

**Order No.**

04.

This matter is taken up through hybrid mode.

2. Heard Mr. S.N. Nayak, learned Additional Standing Counsel for the State-petitioners and Mr. R.K. Bisoi, learned counsel for opposite party no.1.

3. The State and its functionaries have filed this writ petition challenging the order dated 29.06.2016 passed in O.A. No.2302 of 2014, by which the Odisha Administrative Tribunal, Principal Bench, Bhubaneswar, relying upon the judgment of the apex Court in *Union of India v. K.V. Janakiraman*, 1991 (4) SCC 109 and of this Court in *Susanta Nanda v. Union of India* (W.P.(C) No.8440 of 2009) and because of inordinate delay in disposal of the vigilance case, directed the petitioners to open the sealed cover in respect of the promotion of opposite party no.1 as per DPC dated 01.07.2014 and give effect to the recommendation of the DPC with effect from the date his juniors got promotion with consequential benefits and such promotion and benefits shall be subject to the result of the

vigilance case and granted liberty to the petitioners to vary the order of promotion as per rules and directed to complete the entire exercise within a period of two months from the date of receipt of the order. Since his juniors have been promoted since 01.09.2014

4. It is also contended that similar matter has also been considered by this Court in ***Sushama Barik v. State of Odisha*** (W.P.(C) No.21795 of 2021 disposed of on 03.08.2021).

5. Therefore, this Court is not inclined to interfere with the order dated 29.06.2016 passed by the Odisha Administrative Tribunal, Principal Bench, Bhubaneswar in O.A. No.2302 of 2014.

6. Hence the writ petition merits no consideration and the same is dismissed.

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(DR. B.R. SARANGI)  
JUDGE

.....  
(SAVITRI RATHO)  
JUDGE