

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No.1050 OF 2009

Siba Prasad Barik

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Petitioners

Mr. D.R. Bhokta, Advocate

Vs.

State of Odisha & Ors.

.....

Opposite parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

21.01.2022

Order No.

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This matter is taken up through video conferencing mode.

2. Heard Mr. D.R. Bhokta, learned counsel for the petitioner.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to promote him to the post of Jr. Clerk or any other Class-III post in the office of the Superintending Engineer, Electrical Circle (R&B), Odisha, Bhubaneswar.

4. Mr. D.R. Bhokta, learned counsel for the petitioner has relied upon paragraph-6 of the counter affidavit filed by the opposite parties, which reads as follows:

“6.The basic criteria of promotion that, the Group-‘D’ employee should have the requisite minimum educational qualification prescribed for the post and he should have rendered a minimum period of 10 years in the Group-‘D’ posts. Since there are 03 candidates awaiting for their promotion to Class-III posts, it is to be considered in the D.P.C. basing on the vacancies of the Circle.”

Therefore, in course of hearing, learned counsel for the petitioner stated that the petitioner may be permitted to file a fresh representation before opposite party no.1 highlighting the grievances, and the same may be directed to be disposed of within a stipulated time taking into consideration paragraph-6 of the counter affidavit filed by the opposite parties, to which learned State Counsel has no objection.

5. As agreed by learned counsel for the parties, this Court directs the petitioner to file a fresh representation within a period of two weeks from today ventilating his grievances before opposite party no.1. In the event, the petitioner files such representation along with this order annexing the copy of the counter affidavit, opposite party no.1 shall consider and pass appropriate order in accordance with law within a period of three months thereafter.

6. With the aforesaid observation and direction, the writ petition is disposed of.

7. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed, vide Court's Notice No.4587 dated 25th March, 2020, as modified by Court's notice no. 4798 dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

