

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.22959 of 2022

Rohit Kumar Samal

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
13.09.2022**

Order No

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard learned counsel for the Petitioner and learned counsel for the Opposite Parties.
3. The Petitioner has filed the present Writ Petition with the following prayer:-

“The petitioner therefore prays that Your Lordship would graciously be pleased to admit this writ Petition, issue notice to the Opp. Parties, Call for the records and after hearing all the Parties, appropriate direction may be given to the Op.No.4, to promote the petitioner to the rank of Chief Warder from Warder in pursuance to the circulation of provisional Gradation list of Warder made on 09.11.2021, wherein the petitioner is Sl.No.03, by following the gazette notification dated 29.04.2013 prepared by the Under Secretary to the Govt. of Odisha which is Under Annexure-1 by issuing Writ/Writs in the nature of Mandamus in the greater interest of Justice taking into account the facts into consideration that 5 number of posts are still vacant and the petitioner is eligible for promotion.

And further be please to give appropriate direction to the Op.No.4 to consider the representation which is pending before him Under Annexure-4 in the greater interest of Justice.

*And pass any other orders or directions as this
Hon'ble Court may deem just and proper.*

*And for this act of kindness, the petitioner shall
as in duty bound ever pray."*

4. Learned counsel for the Petitioner further submits that through highlighting his grievances, the Petitioner has filed an application at Annexure-4 to the Writ Petition before the O.P. No.4, but till date nothing has been done in the matter. In such background, learned counsel for the Petitioner prays that a direction be issued to Opposite Party No.4 to take a decision on the above noted Petition within a specific time period.

5. Considering the submissions made and without expressing any opinion on the merits of the case, this Court directs Opposite Party No.4 to take a decision on the above noted petition in accordance with law within a period of three (3) months from the date of receipt of this order and communicate the result of such exercise to the Petitioner.

6. The Writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha