

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.C. (OA) No.1375 of 2015

K. Harish Chandra Patra

....

Petitioner

None

-versus-

State of Odisha & Others

....

Opposite Parties

Mr. M.K. Khuntia, AGA

CORAM:
JUSTICE M.S. RAMAN

ORDER

21.06.2022

Order No.

- 01.
1. This matter is taken up through virtual/physical mode.
 2. The Original Application No. 1375 of 2015 was filed before the State Administrative Tribunal, Bhubaneswar. After its abolition, the same has been transferred to this Court which is renumbered as WPC (OA) No. 1375 of 2015.
 3. None appears for the Petitioner at the time of call.
 4. The Petitioner claims to have held substantive Post and considering himself eligible to be considered for promotion in Group-B for recruitment year 2013 as per Odisha Revenue Service (Recruitment) Rules, 2011, filed the writ petition as the authorities had not considered his grievance.
 5. The learned Odisha Administrative Tribunal, while issuing notice on 18th June, 2015 requested for filing counter affidavit and pass the following interim order:-

“xxx xxx xxx xxx xxx

So far as the prayer for interim relief is concerned, it is made clear that respondent No.3 may examine the recommendation of the Collector in respect of the applicant treating him to be an employee of the Collectorate, as he was in the said establishment till the

year 2014 and in case he is found otherwise suitable as per para-5 of Annexure-6, take further action accordingly as per the said letter. However, the candidature of the applicant shall be subject to final outcome of this O.A.”

6. A counter affidavit has come to be filed by the Opposite Parties inter alia with the following reply:-

“In reply to this Para it is submitted that the Collector, Koraput had recommended the name of the applicant including others eligible candidates vide his letter No.930 dated 24th March, 2015 by furnishing the applicant CCRs of the preceding five years for the year 2006-07 rated as Best, 2008-09 rated as Outstanding, 2009-10 rated as outstanding, 2010-11 rated as Outstanding and 2011-12 (part period 19.07.2011 to 31.03.2012) rated as very good. Further the A.D.M., Koraput has furnished the CCRs of the applicant for the year 2007-08 (part period from 02.05.07 to 31.03.08) rated as outstanding. The Respondent No.3 has gone through the complete CCRs of the applicant carefully and on the basis of entries therein considers him not to be an officer of outstanding merit and ability suitable for promotion to Odisha Revenue Service (Group B) by way of promotion for recruitment year 2013 as the applicant has no five outstanding CCRs for the preceding five years. Hence the respondent No.3 as the countersigning authority has not committed any mistake and illegality while strictly adhering to instructions of Government in Revenue and Disaster management Department and Board of Revenue, Odisha communicated for the same.

In reply to this Para it is submitted that although the applicant fulfils the service condition criteria for recommendation to Odisha Revenue Service (Group-B) by way of promotion but there are no five outstanding CCRs for five years. Hence, the applicant did not fulfill the criteria as per the condition laid down by Government in Revenue and Disaster Management Department as well as Board of Revenue Odisha. There is no illegality in procedure followed by the Respondent No.3”

7. Mr. M.K. Khuntia, learned Additional Government Advocate submitted that since the Petitioner did not

have Outstanding CCRs for five years, the Petitioner was not considered eligible for promotion to the Post of Group-B in terms of the Odisha Revenue Service (Recruitment) Rules, 2011.

8. In view of the aforesaid categorically submission and ineligibility of the Petitioner for consideration of promotion to the post of Group-B, the writ petition being, devoid of merits, is dismissed

Issue urgent certificate copy as per rules.

Laxmikant

