

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.1968 of 2016

Sanjeev Kumar Thattoi ***Petitioner***
Mr. Kausal Hussain, proxy counsel on behalf of
Mr. L.P. Dwivedy, Advocate
-versus-
State of Odisha & others. ***Opposite Parties***
Mr. N.K. Praharaj, Addl. Govt. Advocate

CORAM:
JUSTICE M.S. RAMAN

ORDER

09.12.2022

Order No.

- 03.
1. The petitioner claiming himself to be eligible for promotion from the post of Assistant Sub-Inspector of Police to the post of Sub-Inspector of Police, approached this Court as his representation before the appropriate authority is pending.
 2. It is submitted by Mr. Kausal Hussain, learned proxy counsel on behalf of Mr. L.P. Dwivedy, Advocate that since 2016 this matter is pending and the said representation of the petitioner has not been given due consideration by the appropriate authority.
 3. Mr. N.K. Praharaj, learned Addl. Government Advocate appearing for the State submits that he has no objection if a direction is issued to the Opposite Party No.2 – Director General & Inspector General of Police, Police Headquarters, Cuttack to consider his representation for promotion.
 4. Mr. Hussain, learned proxy counsel for the petitioner submitted that since a Vigilance case is pending against the

petitioner, his case for promotion has not been considered. Relying on order dated 3rd July, 2013 passed in O.A. No.333 of 2012 by the learned Odisha Administrative Tribunal, Mr. Hussain, learned proxy counsel submitted that during pendency of the criminal case, the D.P.C. can consider the case for promotion and if found suitable, the petitioner can be given *ad hoc* promotion subject to final result of the Disciplinary Proceeding and also the Vigilance case.

5. In view of the above submissions, without entering into the disputed facts, the Opposite Party No.2- Director General & Inspector General of Police, Police Headquarters, Cuttack is directed to consider the representation dated 15th February, 2016 stated to have been submitted before him by the Petitioner which forms part of this petition in Annexure-5, within a period of two months from the date of production of the certified copy of this order. The petitioner may also furnish the status/position with regard to the trial of the Vigilance case in question before the said appropriate authority along with the certified copy of this order. The appropriate authority after hearing the petitioner, shall take an informed decision in this regard and communicate the same to the Petitioner thereafter. Needless to point out that this Court has expressed no opinion on the merit of the case of the petitioner.

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

(M.S. Raman)
Judge

MRS