

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.28284 of 2022

Raj Kishore Jena

....

Petitioner

Mr. Gyanaranjan Sethi, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. T.K. Pattnaik, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

01.11.2022

Order No.

- 01.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioner as well as learned counsel for the State. Perused the record.
 3. The present writ petition has been filed by the petitioner with the following prayers:

“It is therefore humbly prayed that this Hon’ble Court may graciously be pleased to admit the case, call for the records and after hearing both the parties pass the following reliefs;

 - i. To direct the Opposite Parties to promote the petitioner to the rank of Odisha Revenue Service, Group-B (Junior Branch) with effect from 29.12.2021 taking into account the Judgment passed in W.P.(C) No.17613 of 2022 vide Annexure-13 and Section 12 of the ORV Act.
 - ii. To direct the Opposite Parties to grant all financial

and consequential service benefits flowing from the date of promotion.

And pass such other order/orders as would be deemed fit and proper.”

4. It is submitted by learned counsel for the petitioner that the similar issue involved in the present writ petition was directed for consequential benefits in W.P.(C) No17613 of 2022 filed by ***Kali Prasad Dehury and others vrs. State of Odisha and others*** placed by detailed judgment dated 19.10.2022 is laid down the law and disposed of the writ petition by giving a direction to the opposite parties.

5. Learned counsel for the petitioner further submits that the petitioner stands on similar footing with the petitioners in W.P.(C) No.17163 of 2022. In such view of the matter, the opposite parties are to examine the case of the petitioner keeping in view the judgment delivered by this Court dated 19.10.2022 in the case of ***Kali Prasad Dehury and others vrs. State of Odisha and others***. In the event, it is directed that the petitioner stands on similar footing, the direction issued by the said writ petition be also followed in the present case.

6. Considering the submissions made and the limited nature of grievance involved in the present writ petition, this Court disposes of the writ petition at the stage of admission with a direction to the petitioner to approach before the Principal Secretary, Revenue and Disaster Management Department, Bhubaneswar-Opposite Party no.1 within a period of two weeks hence along with the certified copy of this order and a copy of the judgment in the case of ***Kali Prasad Dehury and others vrs. State of Odisha and others*** passed in

W.P.(C) No.17613 of 2022 dated 19.10.2022 and in the event, the petitioner approaches before the said Opposite Party No.1 along with certified copy of this order and the judgment referred hereinabove, the Opposite Party No.1 shall do well to take a decision in the matter to implement the direction passed by this Court in the aforesaid writ petition within a period of three months from the date of production of certified copy of this order. It is needless to mention here that the representation of the petitioner shall be considered and disposed of by passing a speaking and reasoned order. Any decision so taken on the said representation shall be communicated to the petitioner within a period of two weeks thereafter.

7. With the aforesaid observation/direction, the writ petition is disposed of.

Urgent certified copy of this order be granted on proper application.

