

IN THE HIGH COURT OF ORISSA AT CUTTACK
WPC (OA) No.1473 of 2014

Sarojini Patel

.... ***Petitioner***
Mr. Arabinda Tripathy, Advocate

-versus-

State of Odisha & Others

.... ***Opposite Parties***

Mr. M.K. Khuntia, Addl. Govt. Advocate

CORAM:
JUSTICE M.S. RAMAN

ORDER
29.03.2022

Order No.

- 01.** 1. This matter is taken up by virtual/physical mode.
2. The Original Application No.1473 of 2014 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.1473 of 2014.
3. The Petitioner has filed Original Application before State Administrative Tribunal, Bhubaneswar way back in 2014 seeking for the following reliefs:-

“i) Why the promotion of the applicant to the post of Lady Supervisor will not be regularized since the date of her promotion i.e. 16.11.2009 and

ii) Why the Respondents will not be directed to give all the service benefits of the applicant since the

P.T.O.

date of promotion i.e. 16.11.2009 within stipulated time.”

4. Mr. Arabinda Tripathy, learned counsel for the Petitioner submits that though promotion is accorded to the Petitioner-Applicant and the Petitioner has been working against a regular vacancy, yet she has been promoted on contractual basis.

5. The grievance of the Petitioner is that regular promotion has been given to the persons who are less qualified and junior to her. Though she had made representation before the Opposite Party No.3 for consideration of her case for absorption in regular vacancy, the same has not been paid any heed to.

6. Mr. Khuntia, learned Addl. Govt. Advocate refuted the averments of the Petitioner and stated that it is incorrect for the Petitioner to say that she has been working against regular vacancy with consolidated pay, whereas she has been appointed against a contractual post created by sanctioned order bearing no.9263/WCD dated 04.04.2008. However, Mr. Khuntia, learned Addl. Govt. Advocate did not dispute the fact that the Petitioner has been working since 1993 under the Opposite Party without any adverse remark in her entire career including sixteen years as Anganwadi Worker and five years as contractual Lady Supervisor.

7. Without entering into any controversy on merits and considering the submission, it is directed that the Opposite Party No. 3 (Collector, Sambalpur) shall take a decision on the

representation dated 27.01.2014 (Annexure-7), if it is still pending and pass appropriate order within a period of three months from the date of production of certified copy of this order.

It is made clear that this Court has not expressed any opinion on the merits of the case.

8. The writ petition stands disposed of.

Issue urgent certified copy as per rules.

(M.S. Raman)
Judge



Aks