

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.2010 of 2015

Sukanti Dei

.... Petitioner

-versus-

State of Odisha & Ors.

.... Opposite Parties

**COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
24.06.2022**

Order No

- 01.** 1. This matter is taken up through Hybrid Mode.
2. Heard Ms. Das, learned counsel for the Petitioner and Mr. P. Bharadwaj, learned Addl. Standing Counsel for the State.
3. The Petitioner is aggrieved by the order dated 10.06.2015 passed by the Principal Chief Conservator of Forest, Odisha under Annexure-4, wherein the Petitioner was reverted to the post of Forester while she was continuing as a Deputy Ranger under Athgarh Division.
4. It is submitted that the Petitioner was duly promoted to the post of Deputy Ranger vide order dated 18.05.2014 of the Regional Chief Conservator of Forests, Angul under Annexure-1 and basing on the said order, the Petitioner joined in the said post on 19.05.2014 under Annexure-2.
5. It is submitted that while continuing in the said promotional post, she was all of a sudden reverted to the post of Forester vide the impugned order without issuing any show cause and without giving reasonable

opportunity of hearing. This Court while issuing notice of the matter on 22.06.2015 passed an order to keep in abeyance, the order at Annexure-4 and by virtue of the said interim order the petitioner is continuing as a Deputy Ranger till date.

6. Since admittedly no show cause was issued prior to reverting the Petitioner from his promotional post vide the impugned order at Annexure-4 and in spite of notice issued since 22.6.2015, no counter affidavit has been filed by the State repudiating the stand taken in the writ petition.

7. In view of such factual position, this Court has got no hesitation in quashing the order at Annexure-4 so far as it relates to reversion of the petitioner to the post of Forester. While quashing the said order, this Court remits the matter to Opposite Party No.2 to take a fresh decision by giving a personal hearing to the Petitioner. However, it is observed that since the Petitioner by virtue of the interim order is continuing in the promotion post of Deputy Ranger, the said fact shall be taken into consideration by the said Opposite Party No.2 while reconsidering the matter as per the order passed in the present case.

8. With the aforesaid observations and directions, the Writ Petition stands disposed of.

(Biraja Prasanna Satapathy)
Judge