

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.C(OA) No.2551 of 2016

Gopal Chandra Naik

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

11.08.2022

Order No

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the Petitioner and Mr. Babu, learned A.G.A.
3. The present Writ Petition has been filed with the following prayer.

“(i) The Hon’ble Tribunal be pleased to direct the respondents to give antedated promotion to the applicant to the rank of OAS Class-I(SB), OAS (Supertime Scale), OAS (Super Administrative Grade) and Special Secretary from the date of immediate junior i.e. respondent No.4 got such promotions with all consequential service and financial benefits, if necessary, by modifying the promotion orders of the applicant as per Annexures-3,4 & 5 within a time bound period for the interest of justice.”

4. It is submitted that the petitioner even though has been exonerated from both the proceedings initiated against him but he was not given with the benefit of promotion even though his juniors have been given such promotion.
5. Considering such submission, this Court while disposing of the Writ Petition permits the petitioner to

approach Opp. Party No.1 for consideration of his grievance. It is observed that if any such application is filed by the petitioner within a period of two weeks from today, the said authority shall take a lawful decision on the same within a further period of three months. It is also observed that while taking such a decision, the stand taken by the petitioner that he has been exonerated in both the proceedings and his junior have been promoted during pendency of such proceeding be taken into consideration by the said opposite party.

6. With the aforesaid observation and direction, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

Sangita