

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OA) No. 1143 of 2013

Rajendra Prasad Panda

....

Petitioner

-versus-

State of Odisha & Anr.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

15.12.2022

Order No

02. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard the learned counsel for the Petitioner and learned counsel for the State.

3. The Petitioner has filed the present Writ Petition *inter alia* with the following relief:-

“i) Quash the principle (2) in the impugned order at Annexure-3 adopted by the Department for preparation of the Gradation List and passed appropriate consequential order to incorporate the name of officer retired / dead in the Revised / Final Gradation List made pursuant to Annexure-3.

ii) Direct the Respondents to restore and fix the inter-se-seniority of the applicant under rule 20 of 1980 Rules.

iii) To extend the benefit of further promotion (s) and other consequential service benefits including the financial ones and re-fixation of pension and pensionary dues accordingly resulting from re-fixation of inter-se-seniority within a specific time period.

And

iv) Pass any other order(s) and / or direction (s) as may be deemed fit and proper and for this act of kindness, the applicant as in duty bound shall remain pray”.

4. Though a counter affidavit has been filed by the opposite party No.1, it is submitted that in similar matters, this Court has directed for consideration of the claim in W.P.C (OAC) Nos.985 and 986 of 2013 on 23.02.2022.

5. Taking into account the orders passed in the above two Writ Petitions, this Court also directs the opposite party No.1 to take a decision on the Petitioner's claim as made under Annexure-4 to the Writ Petition on its own merit within a period of three months from the date of receipt of the order. The order so passed be also communicated to the Petitioner.

6. With the aforesaid observation and direction, the Writ Petition (OA) stands disposed of.

(Biraja Prasanna Satapathy)
Judge

Sneha