

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**WPC(OAC) No.1736 of 2014**

**Akshya Kumar Acharya** .... **Petitioner**

***-versus-***

**State of Odisha & Ors.** .... **Opposite Parties**

**CORAM:  
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER  
10.01.2023**

**Order No**

- 02.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. M.K. Sahoo, learned counsel for the Petitioner and Mr. N.N. Satapathy, learned Standing Counsel appearing for the Department.
3. Pursuant to the order passed by this Court, learned Standing Counsel produced before this Court the instruction provided by the District Education Officer, Cuttack vide letter issued on 02.04.2022. The same be kept on record.
4. From the said instruction it is found that the Petitioner during pendency of the present matter was promoted vide office order dtd.08.07.2016 and in the meantime he has retired from his service on attaining the age of superannuation on 31.03.2018. It is also found that the Petitioner in terms of the order dtd.08.07.2016 has joined as a Headmaster on 18.07.2016.
5. However, Mr. Sahoo, learned counsel for the Petitioner contended that while giving such promotion the initial date of

joining of the Petitioner as well as the recommendation available at Annexure-4 have not been taken into consideration.

6. In view of the same, Mr. Sahoo prays for some time to file reply to the counter affidavit. As requested by him, list this matter in the week commencing 13<sup>th</sup> February, 2023. Reply to the counter be filed in the meantime.

**(Biraja Prasanna Satapathy)**  
**Judge**

*Sneha*

