

## IN THE HIGH COURT OF ORISSA AT CUTTACK

**WPC (OAC) No.3111 OF 2017****Utkal Keshari Mohanty**

.....

**Petitioner***Mr. S. Mallik, Advocate*

Vs.

**State of Odisha & Ors.**

.....

**Opposite parties***State Counsel***CORAM:****DR. JUSTICE B.R. SARANGI****ORDER****05.09.2022****Order No.**

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This matter is taken up by hybrid mode.

2. Heard Mr. S. Mallik, learned counsel for the petitioner.

3. The petitioner has filed this writ petition seeking direction to the opposite parties to consider his promotion to the post of Senior Inspector Legal Metrology in a review DPC continuation to the DPC held on 11.10.2017 taking all the CCRs for three years available on record and consequentially to direct the opposite parties to give him promotion w.e.f. 31.10.2017, the date of promotion of Sabita Panda.

4. Mr. S. Mallick, learned counsel for the petitioner contended that the case of the petitioner is covered by the ratio decided by the apex Court in *Sh. V. Kashyap and another v. Indian Airlines and others* in Civil Appeal No.2341 of 1994 (arising out of SLP (C) No.3707 of 1992, decided on 07.04.1994). Therefore, direction may be issued to the authority to consider the case of the petitioner in the light of said judgment.

5. In that view of the matter, this Court directs opposite party no.2 to consider the case of the petitioner in the light of judgment of the apex Court in *Sh. V. Kashyap* (supra) within a period of four months from the date of production/communication of this order.

6. With the above observation and direction, the writ petition stands disposed of.
7. Issue urgent certified copy as per rules.

Alok

**(DR. B.R. SARANGI)**  
**JUDGE**

