

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No.263 of 2011

Shaik Salimul Haque

....

Petitioner

Mr. Bisikesan Pradhan, Advocate

-versus-

State of Odisha & others

....

Opposite Parties

Mr. K. Das, ASC

CORAM: JUSTICE S.K. PANIGRAHI

ORDER

16.02.2022

Order No.

01. 1. The matter is taken up through hybrid mode.
2. Heard learned counsel for the petitioner.
3. The petitioner is an Ex-serviceman having 17 years experience in Indian Army as a Driver. After getting discharge from Army, the petitioner was appointed as a Sepoy on 29.10.2001 in Orissa Special Armed Police. Thereafter, he was absorbed as an Assistant Driver on 16.05.2002, in accordance with PCO No.310 of 2001. After completion of Driving and Maintenance Training from 19.08.2002 to 28.12.2002 at Orissa Police Driving Training School, P.M.T., Cuttack, he was allowed to draw special incentive allowance as applicable to the driver cadre.
4. Unfortunately, the respondent No.3 vide order No.1107/SAP dated 02.12.2010 directed the Commandants of all the Battalions to submit Nomination Roll in six copies in the enclosed proforma with respect to Assistant Driver as per the seniority list of the Assistant Driver, with their up-to-date Original Service Book by 15.12.2010 for holding C.S.B. for consideration of their promotion to the rank of

Driver Havildar in OSAP Battalions. Therein, the Assistant Drivers from Serial No.29 onwards are junior to the applicant-petitioner as they were absorbed vide Office Order No.679/SAP dated 31.12.2002. The petitioner's prayer is to promote him to the post of Driver Havildar in OSAP Battalion.

5. Since the matter is of the year, 2011 and there seems to be no cause of action as on today, the WPC (OAC) is disposed of as infructuous.

6. However, the petitioner is at liberty to approach the Court afresh, if any cause of action survives.

(S.K. Panigrahi)
Judge

pcd

