

IN THE HIGH COURT OF ORISSA AT CUTTACK
WPC (OAC) No.3123 of 2011

Ratikanta Sethy

....

Petitioner

Mr. A.K. Apat, Adv.

-versus-

State of Odisha and others

....

Opposite Parties

Mr. G.R. Mohapatra, ASC

CORAM: MR. JUSTICE S.K. PANIGRAHI

ORDER

19.05.2022

Order No.

06. 1. The matter is taken up through hybrid mode.
2. The present writ petition has been filed challenging the selection of opposite parties for not considering his promotion to the post of Head Clerk, whereas two juniors have been promoted to the post of Head Clerk without convening the D.P.C. Such action of the opposite parties is illegal, arbitrary and violation of fundamental right. In view of such facts, the petitioner filed O.A. before the Tribunal, which has been transferred to this Court.
3. The petitioner claims that he is eligible for promotion to the post of Head Clerk but without considering his case, two juniors have been promoted without convening any D.P.C.
4. Learned counsel for the State submits that the Department is admitting that no D.P.C. was convened and he undertakes that a D.P.C. will be convened within two months from today and the petitioner will be promoted and his seniority in the promotion will be from the date of promotion of other candidate.
5. In view of such submission, the WPC (OAC) is disposed of.

6. It is made clear that the petitioner shall not lose his seniority because of negligence on the part of the Department to convene D.P.C. in time. Accordingly, his claim for seniority shall also be duly considered.

7. Urgent certified copy of this order be granted as per rules.

pcd



(S.K. Panigrahi)
Judge