

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.C. (OAC) No.1831 of 2017

Anu Naik

....

Petitioner

Mr. P.K. Behera, Advocate

-versus-

State of Odisha & Others

....

Opposite Parties

Mr. L. Samantaray, AGA,

CORAM:

JUSTICE M.S. RAMAN

ORDER

02.09.2022

Order No.

05.

1. This matter is taken up through virtual/physical mode.
2. The Original Application No.1831 (C) of 2017 was filed before the Odisha Administrative Tribunal, Cuttack Bench, Cuttack. After its abolition, the same has been transferred to this Court which is renumbered as WPC (OAC) No. 1831 of 2017.
3. Challenging the Departmental Proceeding dated 24th April, 2017 whereby the case of the petitioner was not considered for promotion to the post of Section Officer against Scheduled Tribe category, the petitioner has come up before this Court with the following reliefs:

(i) Set aside/quashed the D.P.C. recommendation dt. 24.4.2017 at Annexure-8 so far as de-reservation of ST post of Section Officer in the office of the RDC (C.D), Cuttack is concerned.

(ii) Direct the Respondents to include the applicant in the final gradation list of Sr. Asst. forthwith and to consider the case of the applicant for promotion to the rank of Section Officer as per Rule.

(iii) And pass such other order or orders as this Hon'ble Tribunal may deem fit and proper in the facts and circumstances of the case."

4. The learned Odisha Administrative Tribunal vide order dated 28th August, 2017 passed the following order:

“Heard learned counsel for the applicant and learned Government Advocate.

The applicant who is a senior assistant who belongs to ST category, she has challenged the proceeding of the DPC meeting dtd. 24.4.217 vide Annexure-8 where recommendation has been made for dereservation of the post meant for the ST category for promotion to the rank of Section Officer.

Learned Govt. advocate seeks time to take instruction in the matter.

Issue notice on admission. Counter be filed within four weeks and rejoinder, if any be filed within two weeks thereafter.

List this matter in the third week of October, 2017 and till then the post meant for ST category should not be filled up by candidate from any other category.

Send copies.”

5. At the time of hearing, a memo signed by Mr. P. K. Behera, advocate for the petitioner has come to be filed seeking permission to withdraw the Writ Petition. The Memo is taken on record.

6. In view of the said memo, the Writ Petition stands disposed of as withdrawn.

(M.S. Raman)
Judge

Sipun