

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.38646 of 2021

Mohan Kumar Lenka

....

Petitioner

Mr. Amiya Kumar Mohanty A, Adv.

-versus-

State of Orissa and Ors.

....

Opposite Parties

*Mr. Biplaba Mohanty, SC
(for S & ME Deptt.)*

CORAM:

DR. JUSTICE S.K. PANIGRAHI

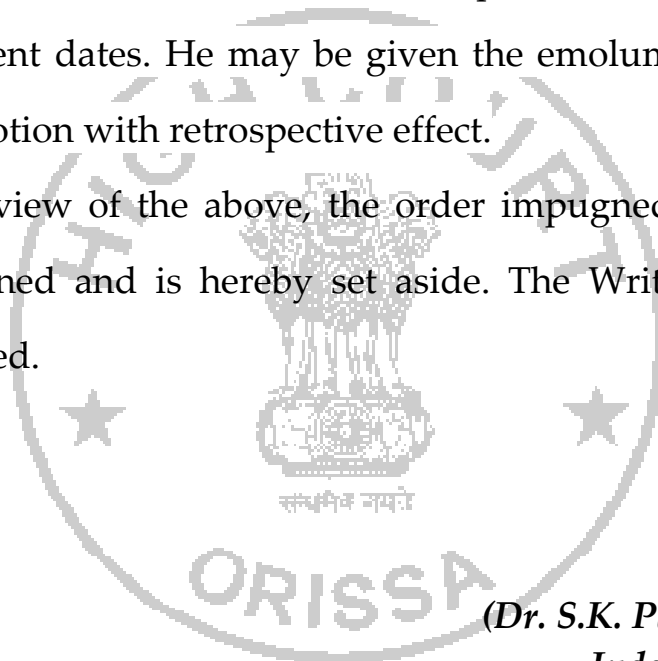
Order
No.

ORDER
18.10.2022

- 11.
1. This matter is taken up through hybrid mode.
 2. Learned counsel for the parties are present. Judgment prepared in separate sheets is delivered and pronounced in open Court in the presence of learned counsel for the parties and the order is passed accordingly as follows:-
 3. On a careful consideration of the respective contentions and in the light of the qualitative and quantitative discussions mentioned supra, this Court is of the considered view that the petitioner is in no way responsible for the administrative delay caused in respect of his regularisation as the 4th Peon. Bearing in mind an

important fact that the petitioner was qualified for the aforementioned post as per G.O No. 9087/SME dated 07.05.2008 & Corrigendum No. 2367/SME dated 12.06.2008, the petitioner ought to get his chance of promotion at such appropriate date. Viewed in that perspective, this Court directs the Opp. parties to consider the case of the petitioner dispassionately taking into account his earlier different representations given on different dates. He may be given the emoluments of the promotion with retrospective effect.

4. In view of the above, the order impugned cannot be sustained and is hereby set aside. The Writ Petition is allowed.



(Dr. S.K. Panigrahi)
Judge

B.Jhankar