

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.35311 of 2022

Dinabandhu Soren

Petitioner

....
Mr.L.K.Mohanty, Advocate

-versus-

State of Odisha & others

.... ***Opposite Parties***

Mr. T.K.Patnaik, A.S.C..

**CORAM:
JUSTICE A.K.MOHAPATRA**

ORDER

21.12.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as the learned Additional Standing Counsel. Perused the writ application and the documents annexed thereto.
3. The present writ application has been filed with a limited prayer for a direction to the Opposite Party No.2 to consider the case of the Petitioner for promotion to the post of Revenue Supervisor along with other similarly placed candidates by the D.P.C. which is likely to be convened in the last week of December, 2022.
4. It is submitted by the learned counsel for the Petitioner that the Petitioner is the senior employee and in the gradation list he has been shown at Sl.No.2 which was published on 01.03.2022. It is further contended by the learned counsel for the Petitioner that batch mates and the junior to the Petitioner are being considered for promotion for the post of Revenue Supervisor under Annexure-4.

Further referring to Annexure-4 dated 03.12.2022 it is submitted by the learned counsel for the Petitioner that the name of the Petitioner has not been recommended for consideration for promotion to the post of Revenue Supervisor. In such view of the matter, learned counsel for the Petitioner submits that the D.P.C. is likely to be convened in the last week of December, 2022 and since the name of the Petitioner has not been recommended, he apprehends that his case may not be taken up by the D.P.C. while considering the case of the batch mate and juniors of the Petitioner. Therefore, he has approached this Court by filing the present writ application.

5. Learned Additional Standing Counsel on the other hand submits that the Petitioner has not approached the Collector-cum-District Magistrate, Jagatsinghpur, Opposite Party No.2 first before approaching this Court. He further submits that the Petitioner be directed to approach the Collector, Opposite Party No.2 to consider his case taking into consideration the gradation list prepared under Annexure-2. In the event the Petitioner is eligible for promotion, his case be also recommended to the DPC for promotion to the post of Revenue Supervisor.

6. Having heard learned counsel for the parties and on careful consideration of the background facts of the case, this Court deems it proper to dispose of the case at the stage of admission by directing the Petitioner to file a fresh representation before the Opposite Party No.2 taking therein all the grounds available to him along with supporting documents within one week from today. In such eventuality, the Opposite Party No.2 shall do well to consider the same taking into consideration the gradation list and the fact that the batch mates and persons junior to the Petitioner have been

recommended for promotion to the post of Revenue Supervisor ignoring the genuine claim of the Petitioner and shall take a decision in accordance with law expeditiously and in the event it is found that the Petitioner is eligible to be considered for promotion to the post of Revenue Supervisor his case shall also be recommended to the D.P.C. which is likely to be convened very shortly. The Petitioner is directed to produce the certified copy of this order before the Opposite Party No.2.

7. With the aforesaid observation and direction the writ application stands disposed of.

8. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

RKS

