IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.21879 of 2026
CNR No. ODHC010484282026

Jyotibhusan Barik .... ***Petitioner***

Mr. S. Palit, Sr. Adv. along with Mr. S. Mohanty, Adv.

-versus-

State of Odisha & Others .... ***Opposite Parties***

Mr. S.P. Das, ASC

CORAM:
THE HON'BLE MR.JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
09.11.2026

Order No.

4. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard learned counsel appearing for the parties.

3. Petitioner has filed the present Writ Petition inter alia with the following prayer:

> In the facts and circumstances stated above, it is therefore humbly prayed that this Hon'ble Court may graciously be pleased to:
>
> i Direct the Opposite Parties, more particularly Opposite Party No.2, to open the sealed cover the of the containing recommendation Departmental Promotion Committee held on 15.02.2025 (Annexure-8) in respect of the petitioner;
>
> ii Direct the Opposite Parties to grant promotion to the petitioner to the post of Revenue Supervisor on the basis of the recommendation of the Departmental Promotion Committee,
>
> iii Direct the Opposite Parties to extend all consequential service benefits to the petitioner pursuant to such promotion;

iv Declare that such promotion shall remain subject to the ultimate outcome of Vigilance Cell P.S. FIR No.04 to furnish an of 2021, District-Cuttack, and the petitioner may be directed undertaking to refund the monetary benefits arising out of such promotion in the event the vigilance proceeding is ultimately decided against him And be further pleased to pass any other orders in favour of the Petitioner as deemed fit and proper in the facts & circumstances of the present case;

4. It is contended that because of pendency of the Vigilance Proceeding against the Petitioner in Cuttack Vigilance P.S.Case No.4 dtd.22.08.2021, the authorities concerned are not opening the sealed cover of the DPC held on 15.02.2025 under Annexure-8 to extend the benefit of promotion in favour of the Petitioner to the post of Revenue Supervisor.

5. It is contended that the issue is no more res integra in view of the decision rendered by this Court in W.P.(C) No.22844 of 2021, disposed of on 09.08.2021, further confirmed with dismissal of the Writ Appeal in W.A No.1231 of 2022 on dtd.02.02.2026 and dismissal of the SLP vide Orde dtd.02.11.2026 in SLP (Civil)Diary No.47870 of 2026. It is accordingly contended that in view of the judgment so delivered in W.P.(C) No.22844 of 2021, so confirmed in Writ Appeal and by the Apex Court, Opp. Party No.2 be directed to open the sealed cover of the DPC held on 15.02.2025 and extend the benefit of promotion in favour of the Petitioner, if Petitioner has been recommended by the said DPC.

6. Even though learned Addl. Standing Counsel objected to such prayer contending inter alia that since admittedly a Vigilance

Proceeding is pending and no direction can be issued, but this Court taking note of the order passed in W.P.(C) No.22844 of 2021, so confirmed in Writ Appeal No.1231 of 2022 and by the Apex Court with dismissal of the Special Leave Petition (Civil) Diary No.47870 of 2026 directs Opp. Party No.2 to open the sealed cover of the DPC dtd.15.02.2025 under Annexure-8 and extend the benefit of promotion to the Petitioner, as expeditiously as possible, preferably within a period of 6(six) weeks form the date of receipt of this order, if Petitioner has been recommended by the DPC.

7. The Writ Petition accordingly stands disposed of.

(Biraja Prasanna Satapathy)
Judge

sangita

Signature Not Verified
Digitally Signed
Signed by: SANGITA PATRA
Reason: authentication of order
Location: high court of orissa, cuttack
Date: 10-Nov-2026 17:40:14