IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.33037 of 2026
CNR No. ODHC010781852026

Chittaranjan Tarasia …. **Petitioner**
Mr. S. Jena, Advocate

-Versus-

State of Odisha and others …. **Opposite Parties**
Mr. Subha Bikash Panda, AGA

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
29.10.2026

Order No.

01. 1. Heard Mr. Jena, learned counsel for the petitioner and Mr. Panda, learned AGA for the State.

2. Instant writ petition has been filed by the petitioner challenging the impugned letter dated 10th March, 2026 as at Annexure-7 of opposite party No.5 and to declare the same as illegal and further to issue directions to the opposite parties, in particular, opposite party No.4 to consider his case for promotion in the rank of Establishment Officer by convening a Departmental Promotion Committee (DPC) as per the provisions of Odisha Ministerial Services (Method of Recruitment and Conditions of Service of Establishment Officer and Senior Establishment Officers in the Office of the District Offices) Common Cadre Rules, 2019 (hereinafter referred to as 'the Rules') on the grounds stated.

3. Mr. Jena, learned counsel would submit that the petitioner was appointed as Junior Assistant/Junior Clerk on

12th January, 1988 and joined in service on 16th January, 1988 in the office of the DEO, Sonepur and while continuing as such, was promoted to rank of Senior Assistant/Senior Clerk in the year 2006 and thereafter, further promoted to rank of Head Clerk/Section Officer by virtue of the order dated 30th December, 2013 issued by opposite party No.6 and transferred to various places and presently holding the said post. The further submission is that as per the Government Notification dated 8th March, 2019 i.e. Annexure-2, eligibility for promotion as per Rule 6 thereof is that Section Officer shall be promoted provided at least one year of continued service as on the date of 1st day of January of that year in which the Committee resolves to meet. The further submission is that such Committee shall have to meet at least once in a year preferably in the month of January to prepare a list of officers in view of Rule 9 of the Rules. The claim is that in the meantime, final gradation list was prepared and published in the year 2022 and when the grievance of the petitioner was not considered for promotion, he approached the Promotion Adalat which directed the Collector, Subarnapur to take necessary steps as per the Rules. It is submitted that no DPC has been held so far. The further submission is that in the meantime, the Government in GA & PG Department issued a Resolution dated 25th November, 2021 for uniform pay structuring model for all District Ministerial Cadres existing under different Departments and it was followed by instructions dated 2nd January, 2026 but till date, the Rules are not been framed. It is submitted that necessary

clarification was issued by the Government by letter dated 10th March, 2026 at Annexure-7 to hold promotion of District Ministerial Cadre employees as per the existing District Ministerial Cadres Rules, 2019 subject to recommendation of the DPC and it was an interim measure, till finalization of the notification with a revised cadre rules. The claim is that in the meantime, promotions have been given to other ministerial employees vide Annexure-8 series. Further referring to Annexure-9, a copy of the order dated 6th March, 2026, necessary direction has been issued for consideration of promotion referring to the notification of the GA&PG Department dated 2nd January, 2026 in terms of Rules, 2019 and to convene the DPC within a period of three months. The submission of Mr. Jena, learned counsel claims for a similar direction to opposite party No.4 to comply the same and carry out the decision of the Promotion Adalat.

4. Recorded the submission of Mr. Panda, learned AGA for the State, according to whom, there has been no specific or categorical instructions to carry out the promotions on the basis of the Rules, 2019 as revealed from Annexure-7 and therefore, rightly the impugned order has been passed while considering the petitioner's plea for promotion.

5. Having regard to the facts pleaded on record and resolution of the GA&PG Department at Annexure-6 series which is not been followed by necessary Rules but since there has been a clarification issued by letter dated 2nd September,

2026 to hold promotions in terms of the Rules, 2019 as an interim measure and that similar direction has been issued in W.P.(C) No.5306 of 2026 disposed of with connected cases as at Annexure-9, this Court is inclined to reiterate and to hold that there has been undue delay in considering the promotion of the petitioner as per clarification dated 2nd January, 2026 to be held in accordance with the Rules, 2019. The reason assigned as vide Annexure-7 while denying consideration of promotion of the petitioner that no instructions are issued to carry out such promotion on the basis of existing Rules is not justified as what more clarification is needed to carry out the same. This Court accepts the argument advanced by Mr. Jena, learned counsel that there is no ambiguity in the letter dated 2nd January, 2026 of the Government in GA&PG Department. As a necessary corollary, this Court reaches at a conclusion that the impugned decision vide Annexure-7 cannot be sustained in law.

6. Accordingly, it is ordered.

7. In the result, the writ petition stands disposed of with a direction to opposite party No.4 to forthwith consider promotion of the petitioner in terms of the Rules, 2019 complying the order dated 2nd February, 2023 of the Promotion Adalat. As a consequence, the impugned letter dated 10th March, 2026 at Annexure-7 is hereby quashed. It is further directed that opposite party No.4 shall comply the order directing the DPC to be convened for the purpose of consideration of promotion vis-à-vis the petitioner to the post

of Establishment Officer within a period three months from the date of receipt of the communication by him.

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

(R.K. Pattanaik)
Judge

T.Tudu

Signature Not Verified
Digitally Signed
Signed by: THAKURDAS TUDU
Reason: Authentication
Location: OHC,CTC
Date: 03-Nov-2026 19:00:07