IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.36293 of 2026
(CNR No. ODHC010851402026)

Lily Naik …. **Petitioner**

Mr. K.K. Swain, Advocate

-Versus-

State of Odisha and others …. **Opposite Parties**

Mrs. Siva Mohanty, ASC

CORAM:
MR. JUSTICE R.K. PATTANAIK

ORDER
09.11.2026

Order No.

01. 1. Heard Mr. Swain, learned counsel for the petitioner and Mrs. Mohanty, learned ASC for the State.

2. Instant writ petition is filed by the petitioner for a direction to the opposite parties, in particular, opposite party No.3 to consider her promotion from the post of Level-V(A) Assistant Teacher (Category-II) to the post of Level-V(B) Senior Teacher from 2020 and to the post of Level-IV Graduate Teacher from 2021 and thereafter, to the next higher post of Level-III Headmaster in Government Upper Primary School in 2026 i.e. from the date when juniors to her have got promotion to such posts with all consequential service and financial benefits by convening Review Departmental Promotion Committee/Departmental Promotion Committee within a stipulated period, as would be fixed by this Court.

3. Mr. Swain, learned counsel for the petitioner submits that the petitioner was regularized as a Primary School Teacher with the approval order dated 21st September, 2013 as at Annexure-1. The further submission is that the petitioner received transfer in the year 2019 and the same is revealed from the relevant extract of the Service Book as at Annexure-3 series. The submission is that the petitioner made a representation consequent upon which opposite party No.3 directed opposite party No.4 to consider the same with an action taken report furnished thereafter. According to Mr. Swain, learned counsel, subsequent to Annexure-8, it was responded to under Annexure-9 mentioning therein that the petitioner is otherwise eligible and fulfills all the criteria for promotion as per the Rules and guidelines issued, however, she has been deprived of due to oversight. It is lastly submitted that despite Annexure-9, it is not being followed with promotion order in favour of the petitioner, who again approached opposite party No.3 with a representation i.e. Annexure-11 pending decision, hence, a direction may perhaps be issued in that regard.

4. Recorded the response of the State.

5. In course of hearing, Rule 15(1)(a) of the Odisha Elementary Education (Method of recruitment and conditions of Service of Teachers and Officers) Rules, 1997 (hereinafter referred to as 'the Rules') is cited by Mr. Swain, learned counsel to submit that the petitioner cannot be placed at the bottom of the gradation list since her transfer was within the

revenue district but it has been lost sight of, hence, she has been denied promotion, whereas, others similarly situated and even juniors to her received promotion to the next higher levels in the meantime. Considering the submissions as above with reference to the Rules and as it is claimed that the petitioner is eligible and also acknowledged by opposite party No.4 under Annexure-9 received by opposite party No.3, this Court, recording the submission of Mrs. Mohanty, learned ASC, is inclined to direct opposite party No.3 to immediately attend to the representation dated 14th October, 2026 as at Annexure-11 with a decision thereon at the earliest preferably within a period of six weeks from the date of receipt of a copy of this order.

6. Accordingly, it is ordered.

7. In the result, the writ petition stands disposed of with the direction as aforesaid for compliance by opposite party No.3 within the above stipulated period.

8. Issue urgent certified copy as per rules.

(R.K. Pattanaik)
Judge

Alok,

Signature Not Verified
Digitally Signed
Signed by: ALOK RANJAN SETHY
Reason: Authentication
Location: ORISSA HIGH COURT
Date: 16-Nov-2026 16:18:19