



IN THE HIGH COURT OF ORISSA AT CUTTACK
CONTC No.284 of 2026

Dushasan Jena

....

Petitioner

Mr. Sadasiva Patra (1), Advocate

-versus-

***Shubha Sharma, Principal Secretary,
Water Resources Department,
Bhubaneswar and another***

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

*Mr. Debashis Tripathy, AGA
(for O.P. No.1)*

*Ms. Sushree Chhandarani Hanuman, Advocate
on behalf of Mr. Sudeepta Kumar Singh, Advocate
(for O.P. No.2)*

CORAM:
HON'BLE MR. JUSTICE MURAHARI SRI RAMAN

Order No.
01.

ORDER
24.02.2026

1. Drawing attention of this Court to paragraph-7 of the Order dated 24th March, 2025 passed in W.P.(C) No.10079 of 2012, it is submitted by Sri Sadasiva Patra, learned counsel for the petitioner that during the pendency of the writ petition, interim orders were passed directing the opposite parties not to fill-up one post of Assistant Engineer (Civil). He submitted that while disposing of the writ petition, the following directions are passed:-

“8. Faced with the aforesaid situation, in view of judgment of the Hon'ble Supreme Court of India in the case of OLIC Vrs. Rabindra Shankar Patro, (2018) 1 SCC 468 and subsequent clarifications as referred to hitherto, the impugned Order dated 21.05.2012 (Annexure-1) and refusal of consideration of representation of the petitioner for promotion to the post of Assistant Engineer for having acquired B. Tech. Degree in ODL Mode cannot withstand



judicial scrutiny. Therefore, such Order is liable to be set aside.

8.1. It is also noteworthy that the opposite parties are now required to consider the case of the petitioner in the light of judgment dated 26.04.2024 of this Court in the case of Satyanarayan Rana (supra) keeping in view that the direction contained therein has been implemented by granting all financial and service benefits attached to the post of Assistant Engineer as is made available to other similarly situated employees vide Department of Water Resources Letter No.35022— WR-LI-CASEOP-00212024/WR, dated 20.12.2024 read with Order No.437— XEA-23/2024/OLIC, dated 15.01.2025 issued by Managing Director of the Odisha Lift Irrigation Corporation Ltd.

8.2. It is needless to observe that the opposite parties shall keep in view the interim Order dated 06.07.2012 passed by this Court in the present writ petition directing not to fill up one post of Assistant Engineer (Civil) without leave of this Court.

8.3. Since the petitioner has been waiting for relief for more than decade, it is felt expedient to direct the opposite parties to take pragmatic approach by completing the entire exercise within a period of three months from the date of receipt of copy of this order to be communicated by the petitioner to all the opposite parties.”

1.1. He further submitted that this Court referred to OLIC Vrs. Rabindra Shankar Patro, (2018) 1 SCC 468 and Satyanarayan Rana Vrs. Union of India and others, W.P.(C) No.14253 of 2023 vide judgment dated 26.04.2024 and the benefit was extended to the employees therein, but similar benefit has not been extended to the present petitioner, rather the Managing Director, Odisha Lift Irrigation Corporation Limited, Bhubaneswar by order dated 4th



October, 2025 rejected the claim of the petitioner contrary to what has been observed in order dated 24th March, 2025 passed in W.P.(C) No.10079 of 2012.

1.2. It is brought to the notice of this Court that in the said order dated 24th March, 2025 though this Court has not directed for disposal of the representation of the petitioner, the Managing Director, Odisha Lift Irrigation Corporation Limited rejected the representation without considering the observations made in the said order.

2. Ms. Sushree Chhandarani Hanuman, learned counsel on behalf of Sri Sudeepta Kumar Singh, learned counsel submitted that she has instruction to appear on behalf of opposite party no.2 and requested for service of copy of the contempt petition.

2.1. Sri Sadasiva Patra, learned counsel for the petitioner undertakes to serve a copy of the contempt petition on Ms. Sushree Chhandarani Hanuman, learned counsel appearing for opposite party no.2 within three working days.

3. Sri Debashis Tripathy, learned Additional Government Advocate appearing for opposite party no.1 seeks accommodation to file reply.

4. List this matter in the week commencing 23.03.2026.

(M.S. Raman)
Judge

Signature Not
Verified

Digitally Signed
Signed by: MANORAJAN
SAMAL
Designation: PERSONAL
ASSISTANT
Reason: Authentication
Location: Orissa High Court,
Cuttack
Date: 24-Feb-2026 18:13:12