



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20325 of 2014

State of Odisha & others Petitioners

Mr. Partha Sarathi Nayak, AGA

-versus-

**Bibhu Prasad Mishra and Opp. Parties
others**

Mr. Ramakanta Mohanty, Senior Advocate along with Mr. B.S. Tripathy, Senior Advocate and Mrs. Pami Rath, Senior Advocate and Mr. N.K. Mohanty, Advocate for intervenor

CORAM:

**THE HON'BLE MR. JUSTICE S.K. SAHOO
THE HON'BLE MR. JUSTICE S.S. MISHRA**

Order No.

**ORDER
10.09.2025**

28. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

Mr. Partha Sarathi Nayak, learned Additional Government Advocate seeks for an adjournment in the matter.

It appears that the pleadings are complete. The impugned order was passed on 21.01.2014 and in the operative part of the order, it is observed as follows:

"In view of the above, the respondent authorities are directed to convene a review DPC



for consideration of the case of the applicant if he comes within the zone of consideration in respect of the remaining 58 vacancies alongwith other similarly situated persons belonging to Orissa Subordinate Finance Service Cadre (ACTO) as per their ratio for their promotion to the cadre of Orissa Taxation & Accounts Service, within a period of two months from the date of communication of this order and if the decision of the DPC goes in favour of the applicant, give him promotion from the date the candidates who were promoted as per the recommendation of the DPC dated 22.12.2012.

However, it need not be said that since the applicant is not working in the promotional post, even though his seniority will be counted alongwith others who were promoted as per recommendation of the DPC dated 22.12.2012, he shall not be entitled to any financial benefit for that period."

It appears that when the matter was taken up for admission on 24.11.2014, as an interim measure, it was directed that, there shall be stay of operation of the order dated 21.01.2014 passed in O.A. No.383 of 2013 till 31.1.2015. The interim order was extended from time to time.

Learned counsel for the opposite parties submits that most of the opposite parties have now crossed 50 years of age. Since the interim order has been operating, the DPC could not be held, therefore, the matter requires early hearing.

Since 27 adjournments have already been taken and the hearing of the writ petition has been prolonging, we deem it appropriate to modify the interim order dated 24.11.2014 and direct the



petitioners to hold the review DPC within one month from today as per the impugned order dated 21.01.2014 and the result thereof be kept in the sealed cover. The petitioner shall also file an affidavit immediately after the commencement of the DPC without fail.

The matter be listed in the week commencing from 31.10.2025 for final disposal along with W.P.(C) No.25911 of 2014, W.P.(C) No.7934 of 2017, W.P.(C) No.7942 of 2017 and WPC(OA) No.1120 of 2017.

Mr. Pitambar Acharya, Senior Advocate has become Advocate General of Odisha, hence his name be deleted from the cause list henceforth.

(S.K. Sahoo)
Judge

(S.S. Mishra)
Judge

Subhasis