



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.1495 of 2025

Ritanjali Roul

.....

Petitioner

Represented By Adv. -
Srinivas Mohanty

-versus-

State Of Odisha & Ors.

.....

Opposite Parties

Represented By Adv. -
Siva Mohanty, A.S.C.

CORAM:

**THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA**

ORDER

26.03.2025

Order No.

- 02.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the Petitioner as well as learned Additional Standing Counsel for the State-Opposite Parties. Perused the pleadings of the parties as well as the documents annexed thereto.
 3. The Petitioner has filed the present writ application with the following prayer:

“The petitioner, therefore, prays that your Lordships would graciously be pleased to admit this petition, call for the records and issue writ/writs in the nature of certiorari and mandamus directing the Op-4, S.P. Dhenkanal to promote her to the rank of APR Havildar in pursuance to the selection dtd-19.12.2024.

AND pass any other and/or further order/orders as



deemed fit and proper under the circumstances of the case.”

3. The petitioner has contended that since she is eligible to be considered for the promotion to the post of APR Havildar but due to non-submission of annual property statement she is allowed to participate in District Drill Test. In the aforesaid letter there was a precondition that all the nominated Constables those who are under the zone of consideration for promotion was to file the property statement under the Odisha Government Servants Conduct (Amendment) Rules, 2021. The said rule suffered amendment and the government officials were asked to submit their property statement by the end of January every year through online portal namely HRMS portal. It is contended by the Petitioner that the said portal was closed by the end of January, 2023. Therefore, efforts were also made at the senior level to open the portal, but to no avail. Since the portal was closed, the present petitioner could not upload her property statement in time and requested the authorities to submit the same physically. However, the opposite parties have not accepted the hardcopies of the property statement, which resulted in the disqualification of the petitioner from the consideration zone. The petitioner contended that the juniors to her in the nomination list for promotion to the rank of Havildar are getting favourable consideration. Therefore, she seeks interference of this Court.

4. Learned counsel appearing for the petitioner relies upon the order dated 20.11.2023 of this Hon'ble Court in W.P.(C) No.37641 of 2023. Adjudicating exactly the similar issues pertaining to Revenue Department, this Court has allowed the prayer of the writ-petitioner directing the opposite parties to accept the hardcopies of



the property statement or open the web-portal for a limited time to facilitate the said petitioner to upload his property statement. Relevant is paragraphs-8 and 9 of that order which are reproduced below:

“8. Having heard learned counsel for the respective parties and on a careful consideration of the contentions raised by the learned counsel for the parties and on a perusal of the pleadings of the parties, this Court is of the considered view that right to be considered for promotion to the next higher rank has been well recognized under the provisions of the Constitution. In the present case, it has been alleged that such right to be considered for promotion has been infringed by the conduct of the Opposite Parties, moreso, while considering the cases of private Opposite Party Nos. 6 & 7 the case of the Petitioner has been ignored for promotion to the next higher rank although according to the Petitioner, he is senior to such private Opposite Parties as per the final gradation list under Annexure-1. Therefore, this Court is required to consider such a right of the Petitioner for promotion to the next higher rank vis-i-vis the procedure formulated for uploading Annual Property Statement in the HRMS website portal of the State Government. No doubt, the Petitioner has to upload the Annual Property Statement within a specified period of time i.e. by 31st January of every year. However, considering the fact that the right of the Petitioner to be considered for promotion is getting affected, this Court deems it proper that the Petitioner should be given another opportunity to either upload their Annual Property Statement within a stipulated period of time or he may be directed to submit hard copy before the competent authority which would be the larger interest of justice.

9. In view of the aforesaid analysis of the factual position as well as law, this Court deems it proper to direct



the Opposite Parties to provide an opportunity to the Petitioner to submit his Annual Property Statement either by opening their website portal for a particular time within which the Petitioner has to submit the Annual Property Statement or the Opposite Parties may provide an opportunity to the Petitioner to submit hard copy of the Annual Property Statement within a period of three weeks from today. In the event the Petitioner submits hard copy of Annual Property Statement in any one of the mode as indicated herein above, the Opposite Parties No.1 & 2 are directed to convene a review DPC to consider the case of promotion of the Petitioner to the post of Revenue Inspector subject to the fact that Petitioner is found eligible in terms of the relevant Rules within a period of two months from today.”

5. Learned Additional Standing Counsel appearing for the State vehemently opposes the prayer made by the petitioner and contended that indulgence of this Court may upset the timely promotion of eligible candidates to the rank of ASI. He hands up the office orders dated 24.06.2021, 28.12.2022 and 24.05.2023 issued by the G.A. Department, Police headquarter respectively. By these office orders repeatedly the time for submission of the property statement has been extended and mandatory/compulsory submission of the property statement by all group/rank of the Government servants and people representatives have been made. He submits that the petitioner was within her knowledge that the time has been extended and the web-portal was kept open. Since the Petitioner has behaved irresponsibly by not uploading her property statement, she lost her opportunity. Therefore, her right for consideration for promotion to the rank of Havildar is not tenable.

6. In course of hearing, learned counsel for the Petitioner



submitted that the G.A. Dept. is going to take a decision to extend the time to submit annual property statement by the defaulting employees for the year 2022 through online mode in HRMS portal up to 10.02.2024.

7. Considering the submissions made by the learned counsels appearing for the respective parties and upon a careful consideration of the background facts as well as keeping in view the order passed by this Court in W.P.(C) No.37641 of 2023, which has been quoted hereinabove and further taking into consideration the decision of the G.A. & P.G. Dept., this Court directs the Opposite Party No.4 to accept the annual property statement, which has been submitted by the Petitioner in the meantime through online mode in HRMS web portal. Accordingly, the result of the selection process be published as expeditiously as possible preferably within four weeks from the date of communication of certified copy of this order if there is no other legal impediment. Further, it is directed that in the event, it is found by the Opposite Party No.4 that annual property statement as submitted by the counsel for the Petitioner is not available with them, the Petitioner be intimated about such facts and they be given another opportunity to file the same pursuant to the decision of the G.A. Department within the time stipulated by the said department and accordingly the Opposite Party No.4 shall finalize the selection process and publish the result of the test conducted for promotion to the post of APR Havildar as has been directed hereinabove.

8. Since by virtue of an interim order, one post has been kept reserved vide order dated 27.01.2025 passed in I.A. No.728 of 2025, the case of the Petitioner shall be considered against the said post in the event the Petitioner is found suitable by the DPC for appointment



to such post.

9. With the aforesaid observations/ directions, the writ application stands disposed of.

10. Issue urgent certified copy of this order as per Rules.

(A.K. Mohapatra)
Judge

Anil

Signature Not Verified

Digitally Signed
Signed by: ANIL KUMAR
SAHOO
Reason: Authentication
Location: High Court of Orissa
Date: 27-Mar-2025 16:54:28