



**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**WP(C) No.4499 of 2026**

***Durga Prasad Kanungo***

**.....**

***Petitioner***

Represented by Adv. -  
Kunal Kumar Swain

***-versus-***

***State Of Odisha & Ors.***

**.....**

***Opposite Parties***

Represented by Adv. -  
Ms. S.Nayak, A.S.C.

**CORAM:**

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

**ORDER**

**Order No.**

**12.02.2026**

- 01.
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 writ application as well as the prayer made therein.
  3. The Petitioner has filed the present writ application with the following prayer:

*“Under the above circumstances, it is humbly  
prayed that the writ petition may be allowed;*

*And*

*(A) a writ of mandamus or an appropriate writ may be  
issued directing the opposite parties to consider the  
case of the petitioner for promotion to the post of  
Lecturer (Stage-II) / in the rank of Group-B  
(Gazetted)/Principal in Industrial Training Institute in  
the Pay Matrix of Level-12 in terms of the notification  
No.6401 dated 31.10.2013 issued by the Government of*



*Odisha in Employment, Technical Education and Training Department, Bhubaneswar under Annexure:4 and he may promoted either to the post of Lecturer (Stage-II) or to the post of Lecturer in the rank of Group-B (Gazetted)/ or to the post of Principal in Industrial Training Institute in the Pay Matrix of Level-12 with all consequential service and financial benefits as similarly situated employees have got promotion to the post of Principal from amongst Non-Ministerial Technical Group-B staff by virtue of notifications dated 13.06.2014 issued by the Government of Odisha in Employment, Technical, Education and Training Department, Bhubaneswar under Annexure;5 series, within a time to be stipulated by this Hon'ble Court; (B) And any other order / orders or direction / directions may be issued so as to give complete relief to the petitioner.”*

4. Learned counsel for the Petitioner at the outset contended that the Petitioner was initially appointed as Laboratory Assistant by order of the Director Technical Education & Training Odisha dated 30.06.2010 after the death of his father. With regard to qualification of the present Petitioner, learned counsel for the Petitioner contended that the Petitioner possesses B.Sc. (Hons) and M.C.A. educational qualification. Learned counsel for the Petitioner at this juncture contended that after his appointment in the year 2010, the Petitioner continued in service for quite a long time. Further, referring to Odisha Technical Education & Training Service (Amendment) Rules, 2013, learned counsel for the petitioner contended that so far the appointment of lecturers is concerned, 50% of the posts are reserved for non-teaching staff. Referring to the aforesaid Rule,



learned counsel for the Petitioner contended that since the Petitioner is having all the eligibility for being considered for appointment to the post of lecturer, the Petitioner submitted his candidature for such appointment. Since the case of the petitioner has not been considered for appointment to the post of lecturer against 50% non-teaching staff quota, the Petitioner initially approached the Opposite Parties by filing a representation dated 16.09.2015 at Annexure-6 to the writ application. However, no final decision has been taken on such representation of the Petitioner. Being aggrieved by such inaction of the Opposite Parties, the Petitioner has approached this Court by filing the present writ application.

5. Learned counsel for the State on the other hand submitted that she has no instruction in the matter, however taking into consideration the fact that the Petitioner has already approached the Competent Authority by filing a representation at Annexure-6 to the writ application and in the event the same is still pending for finalisation she have no objection if this Court directs the Opposite Party No.2 to consider the representation of the Petitioner strictly in terms of the rules and pass necessary orders thereon within a stipulated period of time.

6. Considering the submissions made by the learned counsels appearing for the parties, on a careful examination of the background facts, further taking into consideration the limited nature of the grievance, this Court deems it proper to dispose of the writ application at the stage of admission by directing the



Opposite Party No.2 to consider and dispose of the representation of the Petitioner at annexure-6 keeping in view the relevant rules within a period of eight weeks from the date of communication of a copy of today's order. The representation shall be disposed of by passing a reasoned order and the final decision so taken be communicated to the Petitioner within ten days thereafter.

7. With the aforesaid observation, the writ application stands disposed of.

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

**( A.K. Mohapatra )**

***Judge***

*Rubi*