

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

**W.P.(C) No.5753 of 2023**

***Sudhir Kumar Sahoo and others*** .... ***Petitioners***  
*Ms. S. Mohapatra, Advocate*  
-versus-  
***State of Odisha and others*** .... ***Opposite Parties***  
*Mr. T.K. Pattanaik, A.S.C.*

**CORAM:**

**JUSTICE A.K. MOHAPATRA**

**ORDER**

**27.02.2023**

**Order No.**

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioners.
3. Perused the writ petition. Issue involved in the present case is with regard to inter se seniority between the two groups of officers. One is regular appointee and others, who are appointed on contractual basis and later on abolished in the year 2013 for their regularization of service. By preparing gradation list, the employees, who have appointed on contractual basis are above the petitioners, who have promoted to the post of Assistant Labour Officer. After hearing the learned counsel for the parties, this Court is of the considered view that to consider the prayer of the petitioner counter affidavit is necessary.
3. Accordingly, issue notice to the Opposite Parties on the question of admission.
4. Since Mr. T.K. Pattanaik, learned counsel for the State accepts notice on behalf of the Opposite Party Nos.1 and 2, two extra copies

of the writ petition be served on him within a week hence.

5. Issue notice to the Opposite Party Nos.3 to 11 by Registered Post with A.D. by fixing a short returnable date. Requisites be filed within three working days.

6. List this matter in the 3<sup>rd</sup> week of April, 2023.

7. Counter affidavit, if any, be filed in the meantime.

**( A.K. Mohapatra )**  
**Judge**

**I.A. No.2530 of 2023**

02.

8. Heard.

9. Issue notice as above.

10. Accept one set of process fee.

11. As an interim measure, it is directed that the provisional gradation list under Annexure-7 shall not be given effect to till the next date.

