



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

**WP(C) No.7385 of 2025**

***Susanta Kumar Sethy***

**.....**

***Petitioner***

Represented By Adv. -  
Amiya Kumar Chhatoi

***-versus-***

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

**.....**

***Opposite Parties***

Represented By Adv. –  
Samaresh Jena, 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 writ application as well as the documents annexed thereto.
3. The Petitioner has filed the present writ application with the following prayer:

“In view of the facts stated above the Petitioner prays that this Hon'ble Court may graciously be pleased to issue a writ in the nature of writ of Mandamus quashing the order of promotion of private Opp.Parties Nos. 4, 5, 6 & 7 as per order bearing No 1236 dated 17.05.2022 under Annexure-7 declaring that promotion of junior general candidates ignoring the senior reserved candidate is unconstitutional and illegal.



And the Hon'ble Court further be pleased to direct the Opp.Party No.3 to consider the case of the petitioner for promotion to the post of Revenue Inspector from the date private Opp.Parties were given such promotion with all consequential service and financial benefits by convening a review DPC within a stipulated period.

And further be pleased to issue pass any other order/orders as the Hon'ble Court deems fit and proper.”

4. It is stated by learned counsel for the Petitioner that being aggrieved by the conduct of the Opposite Parties in not giving promotion to the Petitioner whereas at the same time giving promotion to the juniors to the Petitioner who are Opposite Party Nos.4 to 7 to the present writ application against Unreserved vacancies in the post of Revenue Inspector ignoring the just claim of the Petitioner, who belongs to the Reserved category, the Petitioner has approached this Court by filing the present writ application.

5. Learned counsel for the Petitioner at the outset contended that the issue involved in the present writ application was directly and substantially in issue before this Court in ***Lalit Kumar Nayak v. State of Odisha and Others*** in ***W.P.(C) No.12516 of 2020***. He further contended that a Coordinate Bench after hearing all parties concerned vide judgment dated 24.07.2024 disposed of the above noted writ application with a direction to the Opposite Parties to re-evaluate their promotion policies and promulgate appropriate rules to ensure the advancement of meritorious candidates, irrespective of their reservation status.

6. Learned counsel for the State on the other hand contended that although he has no instruction in the matter. However, he further contended that the Petitioner has approached this Court directly



without approaching the Opposite Parties first for redressal of his grievance.

7. In reply, learned counsel for the Petitioner contended that although the Petitioner has approached the Opposite Parties by filing a representation on 24.12.2024 under Annexure-20, however, no decision has been taken on the same by the Opposite Party No.3 to the writ application.

8. Considering the submissions of learned counsels for the parties, on a careful examination of the background facts as well as materials on record, further keeping in view the fact that the a similar issue has already been decided by a Coordinate Bench in *Lalit Kumar Nayak's* case (supra), this Court deems it proper to dispose of the writ application by granting liberty to the petitioner to approach the Opposite Party No.3 by filing a detailed representation taking therein all the grounds along with all supporting documents within a period of three weeks from today. In such eventuality, the Opposite Party No.3 shall do well to consider the representation of the Petitioner in accordance with law and keeping in view the judgment of the Coordinate Bench in *Lalit Kumar Nayak's* case, in the event the same has attained finality, and dispose of the representation of the Petitioner within a period of three months from the date of communication of a certified copy of today's order by the Petitioner. It is needless to mention here that the representation of the Petitioner shall be considered and & disposed of by passing a speaking and reasoned order within the aforesaid time. The final decision so taken by the Opposite Party No.3 be also communicated to the Petitioner within ten days from the date of taking such a decision.



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