

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.9757 of 2021

Ajit Kumar Pradhan

.... ***Petitioner***
Mr. B. Routray, Sr. Advocate

-versus-

State of Odisha & others

.... ***Opposite Parties***
Mr. P.C. Das, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

12.12.2023

Order No.

W.P.(C) No.9757 of 2021 & I.A. No.18807 of 2023

- 07.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Mr. Budhadev Routray, learned Senior Advocate filed a memo to plead on behalf of the Petitioner.
 3. Heard learned Senior counsel for the Petitioner.
 4. This I.A. No.18807 of 2023 has been filed by the Petitioner with a prayer for early hearing of the matter.
 5. A copy of the letter dated 12.10.2023 issued by the Senior Administrative officer, State Forest Headquarter, Odisha of the office of the P.C.C.F., Bhubaneswar has been annexed to the I.A. application. On perusal of letter dated 12.10.2023 it appears that the Senior Administrative Officer has issued a circular letter to all Regional Chief Conservator of Forests, All Chief Conservator of Forests, (KL) Circle, The Chief Conservator of Forests, (T&D), Cuttack and The Director, Nandankanan, Biological Park, BBSR for considering grant of promotion to Group-C and D employees working under the aforesaid authorities. The letter further reveals that the above named authorities have been requested to calculate the anticipated vacancy upto 31.12.2021 along with existing vacancies in their respective establishment and to take necessary steps to conduct DPC meeting for

giving promotion to the Group-C & D employees by 1st week of December, 2023 and report compliance by 15.12.2023. Referring to the aforesaid letter learned Senior Counsel appearing for the Petitioner submitted that in the event the case of the Petitioner is not considered for promotion, he will be seriously prejudiced and eventually this writ application may become infructuous.

6. Learned Additional Standing Counsel on the other hand submitted that the Petitioner does not have the eligibility as in the present writ application he has prayed for. Considering the contractual period towards his seniority/ experience. Therefore, it was contended that unless the main issue is adjudicated by this Court, the Petitioner would not get the eligibility to participate in the selection process for promotion to the next higher post.

7. This Court on a careful analysis of the submission made by learned counsels for the respective parties and on a careful examination of the materials placed before this Court is of the considered view that unless the case of the present Petitioner is taken up along with other similarly situated employees for promotion to the next higher post the same is caused prejudice to the Petitioner. In such view of the matter, this Court as an interim measure directs the Opposite Parties to consider the case of the Petitioner in the DPC meeting pursuant to letter dated 12.10.2023 under Annexure-9, however, such results shall not be published without the leave of this Court.

8. Accordingly, I.A. stands disposed of.

9. List this matter in the 2nd week of February, 2024 for final hearing.

(A.K. Mohapatra)
Judge