



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No. 8908 of 2023

Kirti Ranjan Patra

.....

Petitioner

Mr. M.K. Khuntia, Advocate

-versus-

State of Odisha & Ors.

.....

Opposite Parties

Mr. P.K. Panda, ASC

Mr. A. Behera, Advocate
(OPSC)

CORAM:

THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

09.03.2026

Order No. 13

1. This matter is taken up through hybrid mode.
2. Heard learned counsel appearing for the Parties.
3. Pursuant to order dtd.18.02.2026 learned Addl. Standing Counsel produced the instruction so provided by the Department in Court. The same be kept in record.
4. Learned counsel appearing for the Petitioner while assailing the impugned order, contended that vide order td.24.09.2020 under Annexure-2 Petitioner along with 4 others were given the benefit of promotion from the rank of Section Officer to the rank of Establishment Officer.
 - 4.1. It is contended that save and except the present Petitioner, all four (4) were allowed with the benefit of promotion and they have also been given further promotion in the meantime. But Petitioner was denied with the benefit and taking into account the letter issued by the Department on 23.07.2021 under Annexure-9, the Commission



issued the impugned order on 24.08.2021 by holding that promotion of the Petitioner is illegal.

5. Mr. A. Behera, learned counsel appearing for the Commission also fairly contended that other 4 persons who were given with the benefit of promotion vide order under Annexure-2, were allowed to continue with the said benefit and they have been extended with further promotion in the meantime. It is further contended that impugned order under Annexure-10 was passed basing on the letter issued by the G.A. & P.G. Department under Annexure-9.

6. Considering the submission made, this Court is of the view that an affidavit is required to be filed by Opp. Party No. 1 justifying the issuance of the letter dtd.23.07.2021 under Annexure-9.

7. Learned Addl. Standing Counsel is directed to file an affidavit justifying the same. While filing the said affidavit, stand taken by the learned counsel appearing for Petitioner as well as Commission that other 4 persons were allowed to continue with the benefit and have got further benefit of promotion be also taken note of.

8. As requested by the learned ASC, list this matter in the week commencing 6th April, 2026.

(BIRAJA PRASANNA SATAPATHY)
Judge

Sneha