



IN THE HIGH COURT OF ORISSA AT CUTTACK

**W.P.(C) Nos.13391 of 2023, W.P.(C) OAC) No.3649 of
2017 & W.P.(C) (OAC) No.558 of 2019**

***Bibhuti Bhusan
Moharana***

Petitioner

....

*Mr. B.S. Tripathy-1, Sr. Advocate along with
Mr. A. Tripathy, Advocate*

-versus-

State of Odisha & Ors.

....

Opposite Parties

*Mr. A. Tripathy, AGA
Mr. P.K. Rath, Sr. Adv. for O.P.13 & 15
Mr.S.K. Das, Adv.
Mr. M.K. Mishra, Sr. Adv.
Mr. B.B. Mohanty, Adv.
Mr. M.K. Khuntia, Adv.*

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

25.03.2026

Order No.

- 25.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard learned counsel appearing for the Parties in the present batch of Writ Petitions.
3. Considering the dispute involved with regard to fixation of the *inter-se* seniority in the rank of Asst. Commandant, final gradation list of which was published on 10.07.2018 and the final gradation list of Deputy Commandant published on 30.12.2022, which are the subject matter of challenge in W.P.(C) No.13388 of 2023 and further gradation list of Deputy Commandant published on 29.01.2024 which is the



subject matter of challenge in W.P.(C) No.13391 of 2023, this Court is of the view that since basing on the final gradation list of Asst. Commandant published on 10.07.2018, both the rival groups have availed further benefit of promotion to the rank of Deputy Commandant, this Court permits the State Authorities to give further promotion to the rank of Commandants from amongst eligible Deputy Commandant.

3.1. However, all those promotion to the rank of Deputy Commandant already made and promotion to the rank of Commandant shall be subject to final outcome of these batch of Writ Petitions and so also W.P.(C) No.6844 of 2018.

3.2. This Court further directs that in the order of promotion, the aforesaid stipulation should be indicated. It is further observed that if ultimately the Petitioners in these batch of Writ Petitions will succeed, they will be held eligible to get all service and financial benefits as due and admissible.

4. List all these matters after disposal of W.P.(C) No.6844 of 2018. Order passed by this Court on 19.03.2026 in I.A. No.5463 of 2026 is modified accordingly.

(Biraja Prasanna Satapathy)
Judge