



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No.17750 of 2021

Sanjib Kumar Mahali

Petitioner

Mr.S.K. Mishra, Sr. Adv.

along with Ms. B.K. Pattanaik, Adv.

-versus-

State of Odisha & Others

Opp. Parties

Mr. A. Tripathy, AGA

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

01.09.2025

Order No.

15. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard learned counsel appearing for the parties.

3. Learned Sr. Counsel appearing for the Petitioner contended that Petitioner while continuing as Welder Trade Helper, was not allowed change of trade to get the benefit of promotion, on the ground that promotional avenue is there for such Welder Trade Helper. But it is contended that similarly situated Fitter Trade Helpers with having promotional avenues, were extended with the benefit of promotion with change of Trade. Stand taken in Para-4 of the rejoinder affidavit reads as follows”

4. That, the following Fitter Trade Helper constables have been allowed to change their trade and given promotion to AS of different trades:

Bench fitter

Promotion of ASI

Helper Constable

Trade



- | | |
|--------------------------------|-------------------|
| 1. Bibekananda Dhal (SEBC) | Black smith Trade |
| 2. Srikanta Parija (Ur) | Welder Trade |
| 3. Deepak Kumar Patel (UR) | Welder Trade |
| 4. Ramesh Ku. Mahalik (SC) | Turner Trade |
| 5. Biswajit Khuntia (SEBC) | Turner Trade |
| 6. Julias Majhi (SEBC) | Carpenter Trade |
| 7. Kamal Lochan Kalo (ST) | Painter Trade |
| 8. OM Prakash Nayak (UR/SEBC) | Tinsmith Trade |
| 9. Tapas Chandra Dehury (SEBC) | Upholstery Trade |
| 10. Rasananda Behera (UR) | Welder Trade |

Hence the action of the Opposite Parties in not allowing the petitioner to change the Trade is complete in violation of the fundamental rights guaranteed under Article 14 & 16 of the Constitution of India.

3.1. It is accordingly contended that Petitioner is entitled to get similar benefit.

4. Learned Addl. Govt. Advocate is directed to file an affidavit as to whether there was promotional avenue for Fitter Trader Helper and on the face of such avenue, they were allowed to change of trade.

5. As requested by the learned Addl. Govt. Advocate, list this matter on 11th September, 2025.

(Biraja Prasanna Satapathy)
Judge

sangita