



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.16859 of 2024

Subrat Kumar Tripathy

....

Petitioner

*Mr. R.K.Pattanaik,
Adv.*

-versus-

State of Odisha & Others

....

Opposite Parties

Mr. P.K. Sahoo, ASC

COROM:

THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

07.05.2026

Order No

- 5.**
1. This matter is taken up through Hybrid Mode.
 2. Heard learned counsel appearing for the parties.
 3. The present Writ Petition has been filed inter alia challenging the final Gradation list-cum-seniority list of Forest Guard published on 24.11.2023 under Annexure-7 and the rejection of the Petitioner's claim to change his date of joining as 10.08.2009 in place of 14.08.2009, vide the impugned order dt.22.05.2024 under Annexure-10.
 4. It is the case of the Petitioner that, Petitioner was appointed as a Forest Guard vide order dt.07.08.2009 under Annexure-1. Even though in terms of the said order, Petitioner as per Annexure-2, joined on 10.08.2009, but in the impugned Gradation list published on 24.11.2023 under Annexure-7, when his date of joining was reflected as 14.08.2009 in place of



10.08.2009, Petitioner raised his grievance and subsequently approached this Court by filing W.P.(C) No.6200 of 2024, with a prayer to change his date of joining as 10.08.2009 in place of 14.08.2009. Even though this Court directed Opp. party No.1 to consider the Petitioner's grievance, but without proper appreciation of the same, the same has been rejected vide the impugned order dt.22.05.2024 under Annexure-10.

4.1. It is contended that since in terms of the order of appointment issued under Annexure-1, Petitioner as per Annexure-2 joined on 10.08.2009, his date of joining should have been taken as 10.08.2009 in place of 14.08.2009. On the face of the joining report submitted under Annexure-2, since the date of joining of the Petitioner has been taken as 14.08.2009 in place of 10.08.2009 in the impugned gradation list, the same requires interference of this Court, with quashing of the Gradation list published under Annexure-7 so far as it relates to date of joining of the Petitioner and confirmed vide order dt.22.05.2024 under Annexure-10.

5. Mr. P.K. Sahoo, learned Addl. Standing Counsel on the other hand made his submission basing on the counter affidavit. It is contended that pursuant to the order of appointment issued on 07.08.2009 under Annexure-1, Petitioner submitted his joining report with due acknowledgement on 14.08.2009 under Annexure-2. Even though in the body of the joining report, it has been indicated that Petitioner wants to join on 10.08.2009, but in fact, Petitioner joined on 14.08.2009 and the same has



been duly acknowledged by the concerned authority by putting the date as 14.08.2009.

5.1. It is accordingly contended that since Petitioner never joined on 10.08.2009 and submitted his joining only on 14.08.2009 as found from Annexure-2, in the Gradation list published on 24.11.2023 under Annexure-7, the date of joining of the Petitioner was taken as 14.08.2009. Even though Petitioner challenged such entry in the Gradation list with regard to his date of joining and filed a Writ Petition before this Court in W.P.(C) No.6200 of 2024, but since Petitioner as reflected in Annexure-2 vis-à-vis Annexure-A/2 has joined on 14.08.2009, claim of the Petitioner to fix his date of joining as 10.08.2009, was rejected vide the impugned order dt.22.05.2024 under Annexure-10.

5.2. Since Petitioner in terms of Annexure-1 joined on 14.08.2009, no illegality or irregularity can be found with his placement in the impugned Gradation list published on 24.11.2023 under Annexure-7, so confirmed vide order dt.22.05.2024 under Annexure-10 of Opp. party No.1 with regard to showing the date of joining as 14.08.2009. It is accordingly contended that the Writ Petition with the prayer as made, is not required to be entertained.

6. Having heard learned counsel for the parties and considering the submission made, this Court finds that Petitioner vide order dt.07.08.2009 under Annexure-1 was appointed as a Forest Guard. Even though in the



joining letter under Annexure-2, Petitioner indicated that he wants to join on 10.08.2009, but the same has been acknowledged with putting of the date as 14.08.2009. Since there is no complete proof being provided by the learned counsel appearing for the Petitioner showing the date of his joining as 10.08.2009, it is the view of this Court no illegality or irregularity has been committed by the authority in taking his date of joining as 14.08.2009 in the Gradation list published on 24.11.2023 under Annexure-7, so confirmed vide the impugned order dt.22.05.2024 under Annexure-10.

6.1. Since the Petitioner's joining report under Annexure-2 has been acknowledged on 14.08.2009, it has to be held that Petitioner joined on 14.08.2009. Accordingly, this Court finds no illegality or irregularity with regard to his placement in the Gradation list with his date of joining as 14.08.2009 under Annexure-7 and rejection of his claim for such correction of his date of joining vide the impugned order dt.22.05.2024 under Annexure-10. Accordingly, this Court is not inclined to interfere with the date of joining of the Petitioner so reflected in Annexure-7, confirmed vide order dt.22.05.2024 under Annexure-10 and dismiss the Writ Petition accordingly.

7. The Writ Petition accordingly stands dismissed.

(Biraja Prasanna Satapathy)
Judge