



IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No. 20119 of 2025

Sunil Kumar Mohanty

.....

Petitioner

Mr. B.P. Panda, Advocate

-versus-

State of Odisha & Ors.

.....

Opposite Parties

Mr. C.K. Pradhan, AGA

CORAM:

THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

23.07.2025

Order No. 01

1. This matter is taken up through hybrid mode.
2. Heard Mr. B.P. Panda, learned counsel appearing for the Petitioner and Mr. C.K. Pradhan, learned Addl. Govt. Advocate appearing for the Opp. Parties.
3. The present writ petition has been filed inter alia with the following prayer:-

“In the circumstances, stated above it is humbly prayed that this Hon'ble Court may be graciously pleased to admit writ application, issue notice to the Opp. Parties call for the records from the Opp. Parties and after hearing the parties, pleased to direct to expunge the pending of Disciplinary Proceeding in the remarked column of the gradation list at sl. No. 2286 issued by the Opp. Party No. 2 under Annexure-4 for the interest of justice.

And for which act of kindness the petitioner shall as duty bound ever pray.”



4. It is contended that the proceeding initiated against the Petitioner vide Memorandum dtd.27.05.2020 after the Petitioner was placed under suspension vide order dtd.13.11.219 is already disposed of by the D.E.O., Ganjam vide order dtd.27.12.2021 under Annexure-3. But while publishing the gradation list of Jr. S.E.S. Asst. Teacher vide letter dtd.15.05.2025 under Annexure-4 in the remark column, it has been indicated that the D.P. is pending against the Petitioner with his date of suspension being 13.11.2019. Petitioner's name finds place at Sl. No. 2286 of the communication dtd.15.05.2025.

4.1. It is contended that since the proceeding in question with the date of suspension on 13.11.2019 has already been finalized vide order dtd.27.12.2021 under Annexure-3, such thing could not have been reflected in the remark column of the gradation list published under Annexure-4 vide letter dtd.15.05.2025.

5. Mr. C.K. Pradhan, learned Addl. Govt. Advocate on the other hand contended that if the proceeding in question has already been disposed of as found from Annexure-3, let the Petitioner bring the same to the notice of Opp. Party No. 2 for making necessary correction in the gradation list.

6. Having heard learned counsel appearing for the Parties and considering the submissions made, this Court finds that the proceeding initiated against the Petitioner vide Memorandum dtd.27.05.2020 with his date of suspension being 13.11.2019 has already been disposed of vide office order dtd.27.12.2021 under Annexure-3. But as found from the impugned gradation list published on 15.05.2025 under Annexure-4 as against the name of the Petitioner, it has been indicated that the proceeding is pending. In view of the same, this Court while disposing



the writ petition, permits the Petitioner to move Opp. Party No. 2 for necessary correction.

6.1. It is observed that if any such application is moved within a period of ten (10) days from today, Opp. Party No. 2 shall do well to take a lawful decision on the same within a further period of four (4) weeks thereafter. While taking such a decision, order dtd.27.12.2021 so passed by D.E.O., Ganjam under Annexure-3 be taken into consideration. Petitioner is permitted to provide a copy of this order along with order dtd.27.12.2021 before Opp. Party No. 2 for compliance.

7. The writ petition is disposed of accordingly.

(BIRAJA PRASANNA SATAPATHY)
Judge

Sneha

Signature Not Verified

Digitally Signed
Signed by: SNEHANJALI PARIDA
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 28-Jul-2025 15:01:16

