



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.17398 of 2024

**Dr. Pramod Kumar
Mohanty**

....

Petitioner

Mr. T.K. Mishra, Advocate

-versus-

***Commissioner-cum-Secy.
to Govt., Health and
Family Welfare
Department, BBSR and
Others***

....

Opposite Parties

Mr. A.K. Pati, ASC

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
05.08.2025**

Order No.

- 06.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard learned counsel for the parties.
3. Let a copy of the Rejoinder Affidavit be served on learned Addl. Standing Counsel as it is contended that copy of the rejoinder has not yet been served.
4. Pursuant to order dated 11.07.2025, learned Addl. Standing Counsel produced the instruction provided by the department vide his letter dated 30.07.2025. The same be kept in record.
- 4.1. Basing on the instruction, it is contended that petitioner while continuing under OMHS cadre considering his request and representation, petitioner was appointed on



adhoc basis in the Department of Urology of SCB Medical College and Hospital, Cuttack vide order dated 14.08.2013 under Annexure-13.

4.2. It is accordingly contended that since petitioner on his request was posted to SCB Medical College and Hospital, Cuttack which comes under OMES cadre, he cannot be reverted back to his parent cadres i.e. OMHS cadre.

5. To the instruction so provided, learned counsel for the petitioner contended that petitioner has never made any representation nor request to bring him to SCB Medical College and Hospital, Cuttack and such an order was passed suo-moto vide order dated 10.08.2012 under Annexure-9 series. It is accordingly contended that since petitioner has never represented to come to SCB Medical College and Hospital, Cuttack and it was done suo-moto, petitioner's claim to revert him to OMHS cadre is a genuine one.

6. Learned Addl. Standing Counsel is directed to obtain instruction in the matter.

7. As requested, list this matter on 20.08.2025.

8. Written notes of submission be filed in the meantime.

(Biraja Prasanna Satapathy)
Judge