



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.19298 of 2024 and batch

Dr. Ashish Kumar Barik **Petitioner**
(in W.P.(C) No.19298 of 2024)

Mr. Sameer Kumar Das, Advocate

-versus-

State of Odisha and others **Opposite Parties**

Mr. Saswat Das, Addl. Govt. Advocate

Dr. Rosalin Kar **Petitioner**
(in W.P.(C) No.21238 of 2024)

Mr. Jagdish Biswal, Advocate

-versus-

State of Odisha and others **Opposite Parties**

Mr. Saswat Das, Addl. Govt. Advocate

Dr. Lokanath Garhnayak **Petitioner**
(in W.P.(C) No.19383 of 2024)

*Mr. Sourya Sundar Das, Senior Advocate along with
Ms. Soma Modi, Advocate*

-versus-

State of Odisha and others **Opposite Parties**

Mr. Saswat Das, Addl. Govt. Advocate

Dr. Neelima Katti **Petitioner**
(in W.P.(C) No.19360 of 2024)

Mr. Sameer Das, Advocate

-versus-

State of Odisha and others **Opposite Parties**

Mr. Saswat Das, Addl. Govt. Advocate

Dr. Angurbala Dhal **Petitioner**
(in W.P.(C) No.19384 of 2024)

*Mr. Sourya Sundar Das, Senior Advocate along with
Ms. Soma Modi, Advocate*

-versus-

State of Odisha and others **Opposite Parties**

Mr. Saswat Das, Addl. Govt. Advocate

CORAM:

HON'BLE MR. JUSTICE MURAHARI SRI RAMAN



Order No.

ORDER
13.03.2026

10. On 09.08.2024, this Court passed the following interim order in I.A. No.10420 of 2024:

- “1. *Heard Mr. Das, learned counsel for the petitioner.*
2. *Instant petition is filed by the petitioner for staying operation of the Government notification under Annexure-15 pending response of the State.*
3. *Pending response of the State, this Court, as an interim measure, in view of Annexure-10, directs that there shall be status quo maintained as on today till the next date.*
4. *List on the date fixed.”*

2. Shri Saswat Das, learned Additional Government Advocate submitted that the Government has shown inclination to mitigate the difficulties faced by the petitioner-writ petitioners. Referring to written instruction dated 15.01.2026 imparted by Commissioner-cum-Secretary to Government in the Department of Health & Family Welfare, he submitted that the Government has brought out certain suggestions in order to address the issues raised in the writ petition. The said instruction *inter alia* contained the following:

“***

Thereafter, representations were received for considering their promotion.

Basing on those representations, views of DMET Odisha was obtained. The DMET, Odisha intimated that:



- ➔ *In 2010, the Dental wing of SCB MCH Cuttack (functioning as per MCI) was converted to SCB Dental College Cuttack (as per DCI), and the existing sanctioned posts of the Dental Wing were divided to form nine independent Departments.*
- ➔ *Also, advertisement was floated after 2010 to recruit faculty in nine different disciplines. Subsequent to such recruitment, the faculties have been promoted to the next higher posts in the same nine disciplines to comply with deficiencies as per DCI. All the promotions made till date after 2013, i.e., after departmental segregation, are done in the concerned dental discipline as per DCI norms.*
- ➔ *As the SCB Dental College is guided by DCI, deficiencies pointed out by DCI during assessment have been complied and accordingly undertakings have also been submitted.*
- ➔ *The existing faculties have already been shown before the Assessors of DCI, and removing them will lead to a faculty deficit, and the DCI may withdraw the permission for a Dental College.*
- ➔ *Because of the above, promotion may be given to the eligible dental faculty where there is a vacancy. In other cases, Time Bound Career Advancement may be granted to faculties eligible for promotion.*

Basing on the views of DMET, Odisha although the Department is willing to consider their prayers, it is constrained from proceeding further due to the interim orders of the Hon'ble High Court directing maintenance of status quo.

In view of the above, necessary steps may kindly be taken for vacation of the stay orders to enable the Department to take further action in this regard."



3. The said instruction, copies of which are handed over to counsel appearing for the aforesaid writ petitioners, is taken on record.
4. In view of certain developments having occurred during pendency of the writ petitions, list this matter on 20th March, 2026 to be taken up as the first case when this Bench assembles.
5. Interim order passed earlier shall continue till the next date. However, it is clarified that in view of instruction dated 15.01.2026 as placed on record, the interim order passed in the present batch of matters shall not restrain the authority concerned/Government to take appropriate decision to redress the difficulties enumerated in the writ petitions as well as the representation(s), but such decision, if any, is taken shall not be given effect to without leave of this Court. It is, therefore, directed that the Additional Government Advocate shall produce a copy of such decision in a sealed cover on the next date.

(M.S. Raman)
Judge

Aswini