



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 23212 of 2024

Sudam Chandra Kisku

....

Petitioner

Mr. A.K. Chhatoi, Advocate

-Versus-

State of Odisha & others

....

Opposite Parties

Mr. B.P. Tripathy, AGA

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

19.09.2024

Order No.

01. 1. Heard Mr. Chhatoi, learned counsel for the petitioner.
2. Instant writ petition is filed by the petitioner for a direction to the opposite parties to consider him for promotion to the post of Deputy Fire Officer after obtaining the nomination roll and convening a review DPC treating him to have been promoted to the rank of Assistant Fire Officer retrospectively with effect from 25th September, 2017, the date when, opposite party Nos.7, 9 and 11 were promoted to the said post and to accordingly to place him in the final gradation list as on 1st October, 2021 on the grounds stated therein.
3. Learned counsel for the petitioner submits that the draft gradation list as at Annexure-13 has been wrongly prepared and without authority as against the final gradation list i.e. Annexure-9 dated 30th November, 2021. It is further submitted that the petitioner has filed an objection to the draft gradation list i.e. Annexure-13 and no decision has been taken on the same till date. The further contention is that the petitioner's case has not been



recommended with a nomination roll for being considered by the DPC to the promotional post of Deputy Fire Officer and in the meantime, the draft gradation list has been prepared inviting objection, hence, the same is not legally tenable.

4. Considering the submission of learned counsel for the petitioner, the Court is inclined to issue notice to the opposite parties for a reply and response.

5. Hence, it is ordered.

6. Notice.

7. Mr. Tripathy, learned AGA for the State accepts notice for opposite party Nos.1 to 6.

8. Notices to opposite party Nos.7 to 11 by Registered Post with AD making it returnable at an early date and for the said purpose, requisites shall be filed by the learned counsel for the petitioner within next seven days.

9. List on 11th November, 2024 for hearing and final orders on receiving reply of the State.

(R.K. Pattanaik)
Judge

I.A. No. 23212 of 2024

02. 1. Heard learned counsel for the petitioner.

2. Instant petition is filed by the petitioner for a direction to the opposite parties not fill up one post of Deputy Fire Officer pursuant to the recommendation of the DPC held on 11th September, 2024.



3. Considering the submission of learned counsel for the petitioner, though the Court is not inclined to pass any such interim order, is of the view that preparation of the final gradation list i.e. Annexure-13 and such promotion of the petitioner to the next higher rank, which has been denied by way of a nomination roll at present, shall be subject to the result of the writ petition.
4. List on the date fixed.
5. Urgent certified copy of this order be issued as per rules.

(R.K. Pattanaik)
Judge

Balaram

Signature Not Verified

Digitally Signed
Signed by: BALARAM BEHERA
Designation: Personal Assistant
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 20-Sep-2024 19:48:56

