



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.28835 of 2025

Rama Chandra Sahoo* *Petitioner

*Mr. Santosh Kumar Swain,
Advocate*

-versus-

Union of India and others* *Opp. Parties

*Mr. P.K. Parhi, D.S.G.I. along
with Mr. Kaibalya Panda, C.G.C.
for opposite parties nos.1 to 6.*

CORAM:

THE HON'BLE MR. JUSTICE S.K. SAHOO

THE HON'BLE MR. JUSTICE S.S. MISHRA

ORDER

15.12.2025

Order No.

03. This matter is taken up through Hybrid arrangement (video conferencing/physical mode).

In terms of the order dated 01.12.2025, learned counsel for the petitioner has filed an Additional Affidavit, wherein in paragraph no.10, it has been stated that the petitioner is now at the very fag end of his service and is going to retire from service on 31.03.2026 on attaining the age of superannuation and in the event, his prayer, made in the writ petition is allowed, the persons, who being junior to him in the seniority list of Group 'B' shall not be prejudiced as from among them A. Dharma Rao and S.M.S Ahmad



have already demitted office on 31.07.2010 and 31.07.2019 respectively.

(S.K. Sahoo)
Judge

(S.S. Mishra)
Judge

I.A. No. 22274 of 2025

04. This is an application for amendment of the cause title of the writ petition for addition of the party.

It is stated in the interim application that Mr. J.V. Appa Rao, who is now continuing in service and he could not be impleaded as a party to this writ petition inadvertently and he was also not party in the disposed of O.A. No.173 of 2023 and it is stated that the said J.V. Appa Rao was the junior to the petitioner and he has been placed above the petitioner in the seniority list of Group 'B' Officers under Annexure-8 and therefore, he has chance of getting affected and therefore, he is required to be added as opp. party no.7 in the writ petition in consonance with the principles of natural justice.



Learned counsel for the Union of India has received the copy of the interim application and he has no objection to such prayer.

Accordingly, the prayer made in the interim application is allowed.

Mr. J.V. Appa Rao, is permitted to be impleaded as opposite party no.7.

(S.K. Sahoo)
Judge

(S.S. Mishra)
Judge

W.P.(C) No.28835 of 2025

05. Learned counsel for the petitioner has already been filed the consolidated cause title of the writ petition after serving a copy thereof on the learned counsel appearing for the Union of India.

This writ petition has been filed by the petitioner Rama Chandra Sahoo with a prayer to quash the order dated 04.04.2025 passed by the learned Central Administrative Tribunal, Cuttack Bench, Cuttack (hereinafter, 'the Tribunal') in O.A. No.173 of 2023, inter alia, with a prayer to direct the opposite parties to fix up the seniority of the petitioner in Group 'B' in



East Coast Railway w.e.f. 01.07.2004 with all consequential benefits taking into account the order of the learned Tribunal dated 18.12.2010 passed in O.A. No.424 of 2009 and O.A. No.425 of 2009 in the cases of Rajendra Naik and G. Sankara Reddy under Annexure-9, which have been confronted by this Court vide order dated 17.05.2019, which are under Annexures-12 and 13 respectively, within a stipulated time.

Learned counsel for the petitioner submitted that the petitioner is similarly situated like Rajendra Naik and also G. Sankara Reddy, who approached the learned Tribunal in O.A. No.424 of 2009 and O.A. No.425 of 2009 respectively and both the cases were heard analogously and disposed of by a common order dated 08.12.2010. The opposite parties were directed to treat the aforesaid two persons as the employees of the East Coast Railway w.e.f. 31.07.2003 and assign them at the appropriate place in the seniority list. Though the petitioner also approached the learned Tribunal by filing O.A. No.426 of 2009, his case was disposed of separately vide order dated 18.08.2011 and specific order was passed that since his representation was pending for consideration, the learned Tribunal disposed of the O.A., without expressing any opinion on the merits,



directing the opposite parties to consider and dispose of the pending representation and communicate the result thereof to the petitioner in a well-reasoned order and such representation was directed to be considered taking into account the order dated 30.08.2006 in O.A. Nos.7, 8, 9, 25 and 38 of 2006 at the Jabalpur Bench of the Tribunal orders dated 08.02.2008 in D.A. No.570 of 2005 and dated 08.12.2010 in O.A. Nos.424 and 425 of 2009 vis-à-vis the order dated 11.5.2009 in O.A. No.395 of 2007.

Learned counsel for the petitioner further submitted that subsequently representations were also filed by the petitioner and since those were not disposed of, the petitioner approached the learned Tribunal in O.A. No.228 of 2022, which was disposed of on 20.05.2022 directing the disposal of the representation of the petitioner in accordance with law by passing a speaking and reasoned order and ultimately, the order dated 23.09.2022 was passed by the authority concerned, wherein it is stated that the request made by the petitioner to ante date his seniority in Group 'B' is devoid of merit for consideration in view of the orders of the learned Tribunal dated 11.05.2009 and 18.08.2011.

It is submitted by the learned counsel for the petitioner that when there is no dispute that the



petitioner is similarly situated like the Rajendra Naik and G. Sankara Reddy, who have got the necessary relief and when in the O.A. No.426 of 2009 filed by the petitioner, specific direction was issued to consider the petitioner's case, inter alia, keeping in view the order passed by the learned Tribunal in the case of Rajendra Naik and G. Sankara Reddy, the order rejecting the claim of the petitioner is not sustainable in the eye of law and the learned Tribunal has also mechanically held that the petitioner is not entitled to get the relief.

Issue notice on the question of admission indicating therein that the matter shall be disposed of finally at the stage of admission.

Since Mr. Parhi, learned Deputy Solicitor General along with Mr. Kaibalya Panda, learned Central Government Counsel have already entered appearance on behalf of the opposite parties nos.1 to 6, six extra copies of the writ petition be served on the learned Deputy Solicitor General of India by 19.12.2025.

So far as opposite party no.7 is concerned, requisites for issuance of notice on opposite party no.7 by speed post with proof of delivery shall be filed by 19.12.2025. The notice be made returnable within four weeks.



List this matter in the week commencing from 19.01.2026.

Counter affidavit, if any, be filed in the meantime.

**(S.K. Sahoo)
Judge**

**(S.S. Mishra)
Judge**

Pravakar/RKM

Signature Not Verified

Digitally Signed
Signed by: RABINDRA KUMAR MISHRA
Designation: Personal Assistant
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 16-Dec-2025 12:10:23

