

(2022) 10 OHC CK 0094

In the Orissa High Court

Case No : Writ Petition Civil (OAB) No.19 Of 2013

Dr. Ambika Prasad Mishra

APPELLANT

Vs

State of Odisha & Others

RESPONDENT

Date of Decision : 19-10-2022

Acts Referred:

Citation : (2022) 10 OHC CK 0094

Hon'ble Judges : M.S. Raman, J

Bench : Single Bench

Advocate : P. K. Mohanty

Final Decision : Dismissed

Judgement

M.S. Raman, J

1. The Original Application No. 19(B) of 2013 was filed before the Odisha Administrative Tribunal, Bhubaneswar Bench, Bhubaneswar. After its abolition, the same has been transferred to this Court which is renumbered as WPC (OAB) No. 19 of 2013.

2. The petitioner being not placed in Lecturer Group A (State's Scale) and then Lecturer (College Branch) has filed the present petition. The case of the petitioner is that he was duly recruited and appointed on 26th August, 1992 as Junior Lecturer in Education in terms of the Orissa Education Service (Higher Secondary Branch), Rule 1992. The petitioner got retired on attaining the age of superannuation on 31st December, 2006. It is stated by the petitioner that the Government in Department of Higher Education has taken a decision to upgrade the Junior Lecturers of Government college of Odisha on completion of eight years of continuous Government service as on 31st December, 2006 to the post of Lecturer. By virtue of a decision of the learned Administrative Tribunal in O.A. No.1(B) of 2009, the petitioner was upgraded to the post of Lecturer w.e.f. 31st December, 2006. It is stated by the petitioner that the Orissa Education Service in State's Scale of Pay (Method of Recruitment and Conditions of Service), Rules,

2009 was amended in the year 2012 with stipulation of eight years of continuous service after regular appointment continuing as Junior Lecturer and Lecturer (State's Scale) shall be eligible for placement as Lecturer Group-A (State's Scale). As per the Government Notification No.23029/HE dtd. 14.09.2012 and Notification No.23024/HE dated. 14.09.2012 after completion of ten years of continuous service from the date of regular appointment he shall be eligible for placement as Lecturer (College Branch). It is the grievance of the petitioner that representation filed before the authority concerned has not been taken up for consideration.

3. None has put in appearance for the petitioner at the time of call. On the last occasion i.e. on 3rd March, 2022 when the matter was called, none has appeared for the petitioner.

Therefore, it is construed that the petitioner is no more interested to pursue this matter.

4. In view of such situation, the Writ Petition stands dismissed.

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