
(2022) 12 OHC CK 0111
In the Orissa High Court
Case No : Writ Petition (C) No. 35637 Of 2021

Mamata Mohapatra

APPELLANT

Vs

State Of Odisha & Others

RESPONDENT

Date of Decision : 09-12-2022

Acts Referred:

Citation : (2022) 12 OHC CK 0111

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

Bench : Single Bench

Advocate : N. Rath, S.N. Patnaik, M.K. Khuntia, J.K. Rath, D.N. Rath

Final Decision : Allowed

Judgement

M.S. Sahoo, J

I.A. No.13737 of 2022

1. The I.A. has been filed by Opposite Parties 3, 6, 7, 8, 9 and 10 seeking modification of the order earlier passed in I.A. No.16508 of 2021 by this Court dated 09.12.2021, wherein the following was directed :-

"The gradation list as on 2.6.2020 (Annexure-10 series), issued by the Joint Secretary to Government of Odisha, in the Department of Finance and A.R.D. Department, Bhubaneswar and the final gradation list as on 1.1.2021 (Annexure-11 series) issued by the Addl. Secretary to Government of Odisha, in the Department of Finance and A.R.D. Department, Bhubaneswar, shall not be given effect to till the next date."

2. It is submitted by the learned Senior Counsel appearing for the Opposite Parties/petitioners that six posts of Deputy Director of Fisheries are remaining vacant and the opposite parties/petitioners working as District Fisheries Officer are put to immense hardship as they are due for promotion but unable to get the same due to operation of the interim order dated 09.12.2021.

3. Learned Addl. Govt. Advocate submits that he has filed I.A. No.11675 of 2022, physical copy of which is available on record making a similar prayer for modification of the interim order. It is further submitted that end of the month of December every year being the targeted at the time to complete the process of promotion, the administration is put to difficulty as six posts of Deputy Director of Fisheries remains to be filled-up by promotion from the cadre of District Fisheries Officer.

4. Mr. Nihal Rath, learned counsel for the opposite party-petitioner does not per se dispute the contentions of Mr. Rath, learned Sr. Counsel for the petitioners-Opposite Parties and the learned Addl. Govt. Advocate, but seeks time to file reply to both the I.As.

As prayed for by the learned counsel for the opposite party-petitioner, time is granted till 14.12.2022 to file reply.

As per the observations of Hon'ble the Chief Justice (at Flag-'X'), the matter may be listed before this Bench on 15. 12.2022.

Copy of the order be uploaded..

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