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O.A. No. 452/03

ORDER DATED 23rd JUNE, 2008

Coram:

Hon'ble Mr. Justice K. Thankappan, Member (J)
Hon'ble Mr. C.R. Mohapatra, Member (A)

This O.A. has been filed by the applicant challenging non-consideration of his case for promotion to the I.A.S. Cadre. As per the Indian Administrative Service (Appointment by Promotion) Regulation, 1955, the Selection Committee has to consider the officers as per the seniority list as it stood on the date of the meeting, and if the seniority list drawn by the Department has to be revised, the applicant will also be considered for selection. The Counsel appearing for the applicant now submits that certain subsequent events had taken place regarding the matter and in the light of the judgement of the Hon'ble High Court of Orissa pronounced in W.P. No.6780/03 and the review order of the above judgement passed on 06.02.06 the grievance of the petitioner has to be settled only on a revision of the seniority list which has to be done by the Department as per the judgement of the Hon'ble High Court.

2. In the light of the above, we are of the view that at present this O.A has no merit and it has to be dismissed without prejudice to the applicant to seek his remedy as per the judgement of the Hon'ble High Court. Hence this O.A is dismissed. No order as to costs.


Member (A)


MEMBER (J)