

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 20430 of 2012

Sobani Charan Sasmal

.....

Petitioner

Mr. P.K. Rout, Advocate

Vs.

Union of India & Ors.

.....

Opposite parties

Mr. B. Dash, Sr. Panel

Lawyer

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

15.03.2022

Order No.

5

This matter is taken up through hybrid mode.

2. None appears for the petitioner at the time of call.

3. Heard Mr. B. Dash, learned Sr. Panel Lawyer for the opposite parties.

4. Perused the record. It appears that the petitioner has filed this writ petition seeking to quash the order dated 31.08.2012 issued by Central Administrative Tribunal, Cuttack Bench, Cuttack in O.A. No.422 of 2008 vide Annexure-11, by which the said O.A. has been dismissed being devoid of merit.

5. The factual matrix of the case, in brief, is that the petitioner, while working as U.D.C. under the opposite party-Institute, was issued with a memorandum dated 01.07.1998 to explain as to why an amount of Rs.34,332/- collected by him towards Tuition fee, Pupil's fund etc. for the period from 02.04.1993 to 06.08.1993 was not deposited in the Institute's account. In response thereto, the petitioner

submitted his reply on 23.07.1998 stating therein that he had deposited the said amount of Rs.34,332/- in the Institute's account vide receipt dated 17.07.1998. But, opposite party no.2-disciplinary authority initiated proceeding against him. Accordingly, the petitioner was placed under suspension. Thereafter, enquiry was conducted and copy of the enquiry report was supplied to the petitioner and he submitted his representation. On consideration of the same, the disciplinary authority vide order dated 25.04.2001 imposed punishment of removal from service with a stipulation that the punishment shall not be a disqualification for future employment elsewhere. Thereafter, the petitioner preferred appeal and the same was also dismissed. Being aggrieved, he approached this Court by filing W.P.(C) No.11357 of 2004 and this Court, vide order dated 01.09.2008, disposed of the said writ petition granting liberty to him to approach the Central Administrative Tribunal. In compliance thereof, the petitioner filed O.A. No.422 of 2008 before the Central Administrative Tribunal, Cuttack Bench, Cuttack and the tribunal, after giving opportunity of hearing to the petitioner, vide order dated 31.08.2012, came to a definite conclusion in paragraphs-10 and 11, which read as follows:

Quote

6. Since the tribunal has passed the order dated 31.08.2012, after giving opportunity of hearing to the petitioner, this Court does not find any cogent reason to interfere with the said order. Accordingly, the writ petition merits no consideration and the same is dismissed.

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(DR. B.R. SARANGI)
JUDGE

Alok/Sukant

.....
(SAVITRI RATHO)
JUDGE

