

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.13219 OF 2010

Tanuja Mishra

....

Petitioner

Mr.N.P.Parija, Adv.

-versus-

State of Orissa & ors.

....

Opposite Party(s)

Mr.S.P.Panda, AGA

CORAM:

JUSTICE BISWANATH RATH

ORDER

20.12.2022

Order No.

6. 1. Heard learned counsel for the Parties.
2. The Writ Petition involves a challenge to the manner of disposal of an Application under Section 32 of the O.S.S.Act.
3. In course of hearing, this Court finds, the order of the Competent Authority dated 16.3.2009 reads as follows :-

“Shri L.K.Mishra, learned Standing Counsel is present. Nobody is present in the court today for the petitioner.

Case is posted to 17.8.2009 for orders.”

After the said order, it appears, there has been pronouncement of the impugned order dated 17.8.2009. This Court finds, there is no involvement of the Petitioner in the finality of the proceeding.

4. As a consequence, this Court finds, the impugned order at Annexure-1 is not sustainable in the eye of law, which is accordingly interfered with and set aside. As the matter requires fresh hearing

and adjudication, the matter involving O.S.S. Case No.30/2007 is remitted to the Competent Authority for re-disposal involving the Petitioner.

5. The Writ Petition stands disposed of accordingly.

(Biswanath Rath)
Judge

M.K.Rout

