

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20300 of 2009

Raj Kumar Khamari

....

Petitioner(s)

Mr. D.K. Sundaray,
Advocate

-versus-

State of Orissa & Ors.

....

Opposite Party(s)

Mr. S. Ghose,
Addl. Govt. Adv.
Smt. B. Mohanty,
Advocate

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
15.12.2022**

Order No.

06

1. In reducing his prayer learned counsel for Petitioner brings to the notice of this Court that finding appeal remedy as appropriate and as the appropriate appellate authority is available, the Petitioner has preferred appeal vide Consolidation Appeal No.15 of 2006 as available at Annexure-5.
2. Keeping in view the above submission of learned counsel for Petitioner and as the appeal stated to have been filed is still pending, this Court observes, the writ petition is not entertainable at this stage. Parties are at liberty to have their litigation prospect in the appeal forum. In the process this Court disposes of this Writ Petition with a direction that in the event the appeal indicted hereinabove is still pending, attempt may be made to dispose of the same within a period of three months form the date of appearance of the parties.
3. Both the parties are directed to appear before the appellate authority alongwith a certified copy of this order on 21st December,

2022. Any correction effected in the meantime shall ultimately be bound by the appeal order.

4. The Writ Petition stands disposed of with the above order.

(Biswanath Rath)
Judge

Ayaskanta Jena

