

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMC No. 1371 of 2011

Chittaranjan Jena

....

Petitioner

-versus-

State of Orissa

....

Opposite Party

CORAM: JUSTICE S.PUJAHARI

ORDER

28.03.2022

Order No.

04.

1. This matter is taken up through Hybrid mode.
2. Heard learned counsel for the Petitioner and the learned counsel for the Vigilance.
3. The Petitioner in this case has sought for quashment of the proceeding against him in Sambalpur Vigilance P.S. Case No.7 of 2004 corresponding to C.T.R No.19 of 2006 pending in the court of learned Special Judge, Vigilance, Sambalpur.
4. It appears that on the basis of the report made by the Petitioner being the Assistant Engineer, P.H. Sub-Division-I, Rourkela with regard to the valuation of the three storied building, the loan was granted by the Cooperative Society keeping the same as collateral security. However, during inquiry it was found that the building was single storied one.

5. The contention of the Petitioner is that the report made by him comprises four pages and was signed in each page but in one page, his signature was not there. Therefore, it cannot be said that the Petitioner had valued the three storied building.

6. The aforesaid is a disputed question of fact and it cannot be said that prima facie no case is made out against the Petitioner. Therefore, the prayer made by the Petitioner for quashment of the proceeding on the ground stated is devoid of merit.

7. Accordingly, this CRLMC stands dismissed.

8. This order be communicated to the trial court immediately.

(S. Pujahari)
Judge

PKS

