

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No.5219 of 2018

Bijayashree Nath

.....

Petitioner

Mr. Abhiram Swain, Advocate

Vs.

State of Odisha and others

.....

Opposite Parties

Mr. Baidhar Sahoo, Advocate
(O.P. Nos.3 & 5)

CORAM: JUSTICE SANJAY KUMAR MISHRA

ORDER

04.11.2022

Order No.

10.

This matter is taken up through hybrid mode.

2. Heard Mr. A. Swain, learned Counsel for the Petitioner, so also Mr. Baidhar Sahoo, learned Counsel for the O.P. Nos. 3 & 5.

3. Mr. Sahoo, learned Counsel for O.P. Nos. 3 & 5, relying on the Orders passed by the coordinate Bench, submits that the present Writ Petition is not maintainable as the Petitioner, who was dismissed from service vide impugned Order dated 13.04.2018, was working as a Manager in Bolangir District Central Cooperative Bank Limited, Bolangir, and in view of Section 67-B of the Cooperative Societies Act, the Petitioner ought to have approach the State Cooperative Tribunal for redresal of his grievances.

4. Learned Counsel for the Petitioner submits that during pendency of the Writ Petition the Petitioner was dismissed from service and this Court, vide Order dated 01.05.2018, allowed the application of the Petitioner for amendment of the Writ Petition permitting the Petitioner to challenge the said Order of dismissal dated 13.04.2018 and also was pleased to issue notice to the Opposite Parties vide Order dated 09.05.2018.

5. In that view of the matter, the Writ Petition is disposed of, granting liberty to the Petitioner to approach the State Cooperative Tribunal, Bhubaneswar, along with an application for condonation of delay within 6 weeks from the date of obtaining the certified copy of this Order.

6. In the event such an application is filed by the Petitioner, the same shall be considered liberally by the Tribunal and delay may be condoned keeping in view the fact that the Writ Petition was pending before this Court since, 2018.

7. Urgent certified copy of this Order be granted on proper application.

padma

