

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 8077 of 2014

State of Odisha

.....

Petitioner

Mr. A.K. Mishra, AGA

Vs.

Chittaranjan Sarangi

.....

Opposite Parties

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

11.04.2022

Order No.

06.

This matter is taken up through hybrid mode.

2. The petitioner-State has filed this writ petition seeking to quash the order dated 20.02.2013 passed by the Orissa Administrative Tribunal, Principal Bench, Bhubaneswar in O.A. No. 1289 of 2001 under Annexure-3.

3. As it appears, this Court vide order dated 19.06.2014 issued notice to the opposite parties by registered post with A.D., returnable within six weeks, and granted interim order by staying operation of the order dated 20.02.2013 under Annexure-3. But the petitioner-State has filed requisites for applicant-opposite party not for all the opposite parties and, as such, while issuing notice to the opposite parties, the counsel appearing for the petitioner-State never pointed out that opposite parties no.1 and 2 are proforma opposite parties. On perusal of records, it appears that proforma opposite party no.2 was arrayed as a party to the proceeding in person. Therefore, once the petitioner-State has arrayed opposite party no.2 in person, it cannot be construed that the said opposite party is a proforma opposite party, rather if notice is not issued to the said opposite party, it will cause prejudice to him. In any case,

since till date no requisites have been filed nor any steps have been taken by the petitioner-State for issuance of notice to the opposite parties in compliance of the order dated 19.06.2014, this Court is not inclined to grant any further time to comply the same.

4. Accordingly, the writ petition stands dismissed for non-compliance of the order dated 19.06.2014.

(DR. B.R. SARANGI)
JUDGE

Ashok/Puspa

(SAVITRI RATHO)
JUDGE

