

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) NO.4392 OF 2022

***Bhubaneswar Industrial Workers
Union***

....

Petitioner

Mr.P.Dash, Adv.

-versus-

State of Odisha & ors.

....

Opposite Party(s)

Mr.S.P.Panda, Adv

CORAM:

JUSTICE BISWANATH RATH

ORDER

15.2.2022

**Order
No.**

1.

1. Heard learned counsel for the Parties.

2. This Writ Petition has been filed assailing the order at Annexure-11 on the premises that even though involving the notice at Annexure-8 Appeal lies and in disposal of the Writ Petition bearing W.P.(C) No.32853/2022, vide Annexure-10, this Court while permitting the Petitioner to file Appeal under Section 9 of the OPP Act has already granted protection to the Petitioner for four weeks. It is submitted by the learned counsel for the Petitioner that even though the Appeal at Annexure-9 was filed within one month on 23.11.2021, it appears there is filing of Appeal in the last moment and on the expiry of protection being granted by this Court in disposal of the Writ Petition. Be that as it may, since the Appeal is already filed and the Petitioner raised the difficulty in undertaking the Appeal process by the Collector, Khurda, for his involvement in three tire election process undertaken in the State for the

time being, this Court directing the Appellate Authority to take up the Appeal proceeding along with limitation petition, if any at least within a period of two weeks from the date of communication of the order and the Collector shall do well in considering the interim application therein at least within four weeks of communication of this order. The Petitioner is however protected for another six weeks or till disposal of application for interim protection, which comes earlier.

3. The Writ Petition stands disposed of accordingly.

M.K.Rout



(Biswanath Rath)
Judge