

IN THE HIGH COURT OF ORISSA AT CUTTACK

WP(C) No.8188 of 2022

Raj Kumar Ray

....

Petitioner

Mr. S.P. Mishra, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mrs. Suman Pattanayak, AGA

CORAM: JUSTICE S.K. PANIGRAHI

ORDER

12.04.2022

Order No.

01.

1. The matter is taken up through hybrid mode.
2. The petitioner challenges the action of the opposite parties in stopping his provisional pension and trying to withdraw his grant-in-aid benefits, which is in complete violation of the principles of natural justice.
3. The petitioner was appointed as a Lecturer in Psychology on 02.02.1983 by the Secretary, Governing Body, B.N.M.A. College, Paliabindha in the district of Balasore. While continuing as such, one Uttam Rout, the former lecturer in Oriya, who was working in the same College alleged against the petitioner stating that the date of joining of the petitioner is incorrect and certain irregularities have been committed assigning the date of joining. In view of such facts, the

petitioner was served with a show-cause notice. He has replied the show-cause, but the authority has not yet taken any decision on that.

4. However, vide letter dated 16.02.2022, the Director, Higher Education, Odisha, Bhubaneswar informed the President, Managing Committee/Governing Body, Chandbali College, Chandbali that the provisional pension of the petitioner shall be stopped. The petitioner has already filed the show-cause reply before the opposite party No.1, but no decision has been taken on the show-cause. In such view of the matter, the order of stopping of the provisional pension of the petitioner cannot be effected to.

5. In such view of the matter, till final order is passed on the representation/show-cause dated 14.03.2022, no coercive action shall be taken against the present petitioner. Let the authority pass a final order within a period of eight (8) weeks from today.

6. Accordingly, the writ petition is disposed of.

7. Urgent certified copy of this order be granted as per rules.

(S.K. Panigrahi)
Judge

pcd