

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.5547 of 2015

Dr. Subash Mohapatra

..... Petitioner
Mr. S.P. Das, Advocate

-versus-

State of Odisha and another

..... Opp. Parties
Mr. A.P. Das, ASC

CORAM:
THE CHIEF JUSTICE
JUSTICE R.K.PATTANAİK

ORDER
10.05.2022

Order No.

04.

1. Challenge in the present petition is to the constitutional validity of the Odisha Industrial Security Force Act, 2012 and as amended in 2013. According to the Petitioner, the Act is unconstitutional, arbitrary and, he repeatedly kept urging, 'violative of basic structure of the Constitution'.

2. The Act has been in force over nine years now and the Petitioner should be in a position to point out how it has, if at all, adversely impacted the lives of people in Odisha. Without there being a factual context in which to examine the questions, the entire exercise becomes a purely academic one. Particularly since over 10 years have elapsed since the Act came into force, the Court would like the Petitioner to come forth with a better petition highlighting, what prejudice has been caused to citizens of Odisha as a result of working of the

Act, if any. Consequently, while permitting the Petitioner to file a better petition, the present petition is disposed of.

(Dr. S. Muralidhar)
Chief Justice

(R.K. Pattanaik)
Judge

KC Bisoi

