

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 11337 of 2019

**Secretary To Govt. Panchayati
Raj & Drinking Water Dept.,
Bhubaneswar**

Petitioner

Mr. A.K.Mishra, AGA

Vs.

Arupananda Sahu &Others

Opposite Parties

Mr. A.Sahoo, Adv. (O.P.No.1)

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

08.12.2022

Order No.

10.

This matter is taken up through hybrid mode.

2. Heard Mr.A.K.Mishra, learned Addl. Government Advocate and Mr. A. Sahoo, learned counsel for Opposite Party No.1.

3. Mr. A.K.Mishra, learned Addl. Government Advocate contended that the case of the Petitioner is covered by the ratio decided by this Court in State of Orissa & Another vs. Bibekananda Korkora & Another (W.P.(C) No.22288 of 2015 disposed of on 11.07.2022), wherein reference has been made in State of Orissa vs. Sri Balabhadra Jal, (2015(I) OLR 537 and judgment of the Apex Court in Secretary, Min. of Defence and Others vs. Prabash Chandra Mirdha, (2012) 11 SCC 565.

4. In that view of the matter, the order dated 05.11.2018 passed by the Odisha Administrative Tribunal, Principal Bench, Bhubaneswar in O.A. No.2742 of 2014 is quashed. Therefore, this Court remits the matter to the stage of enquiry and the authority shall proceed after affording

opportunity of hearing to the Petitioner.

5. With the aforesaid observation, the Writ Petition stands disposed of.
6. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

Alok/Subrat

(B. P. SATAPATHY)
JUDGE

