

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.13901 of 2022

Sayed Naimul Hossain

....

Petitioner

Mr. Niranjana Biswal, Advocate

-versus-

State of Odisha and others

....

Opposite Parties

Mr. YSP Babu, AGA

CORAM:

JUSTICE A.K.MOHAPATRA

ORDER

21.06.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical Mode).

2. Heard learned counsel for the Petitioner and learned counsel for the State.

3. The writ petition has been filed by the Petitioner with the following relief:

“ It is, therefore, prayed that this Hon’ble Court may graciously be pleased to admit the case, call for the records and after hearing the parties may issue appropriate writ in the nature of mandamus by way of passing the following order:

- i) To direct the O.Ps. more particularly the O.P. No.1 to conclude the disciplinary proceeding initiated vide order No.3982 dtd.26.11.2015 under Anneuxre-2 within a time framed by this Hon’ble Court.
- ii) To direct the O.Ps. to release all consequential/retirement dues of the Petitioner considering the fact that the petitioner has been retired from service w.e.f. 30.1.2021.
- iii) To direct the Opposite Party No.2 to refund the excess amount of Rs.5,06,173/- which has been

entered in the cash book and subsequently deposited by the Petitioner.”

4. Learned counsel for the Petitioner submits that although the Departmental Proceeding was initiated against the Petitioner when the Petitioner was in service. However with the passage of time, after superannuation of the Petitioner, the departmental proceeding is still continuing, due to which, the Petitioner is unable to get the retiral dues and pensionary benefits etc. and suffering from financial hardship.

5. Considering such submissions made, this Court feels it appropriate to direct that the Opposite Party No.1 to expedite the departmental proceeding pending against the present Petitioner vide D.P. No.3982 of 2015 and conclude the same within a period of two months from the date of production of certified copy of this order.

6. With the above direction, the Writ Petition stands disposed of.

7. Issue urgent certified copy as per rules.

(A.K. Mohapatra)
Judge