

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 15281 of 2022

Arun Kumar and another

.....

Petitioners

Mr. P.K. Tripathy, Adv.

Vs.

*The Commissioner-cum-Secretary
to the Hon'ble Chancellor,
Sambalpur and others*

.....

Opposite parties

Mr. A.K. Mishra, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MR JUSTICE S.K. MISHRA

ORDER

05.07.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. Heard Mr. P.K. Tripathy, learned Counsel appearing for the Petitioners and Mr. A.K. Mishra, learned Addl. Government Advocate appearing for the State-Opposite Parties.

3. Two of the Advocates of Sambalpur Bar have filed this Writ Petition seeking writ of *quo warranto* against the opposite parties including Opposite Party No.7 to take necessary steps for his removal from service on the ground of furnishing wrong information at the time of submission of his application.

4. Mr. P.K. Tripathy, learned Counsel appearing for the Petitioners contended that while submitting the application, Opposite Party no.7 had furnished certain wrong information and basing on such wrong information, he joined as Vice-Chancellor of Sambalpur University. Therefore, after obtaining information from the Authority when the Petitioners found that Opposite Party No.7 had furnished wrong information in his application, they have approached this Court by filing present Writ Petition seeking direction to take necessary steps for his removal from service. It is contended that the Petitioners have also approached the Chancellor and in turn the Chancellor also issued notice to Opposite Party No.7 vide Annexure-8 dated 24.08.2021. But

thereafter what happened in the matter with regard to the steps taken by the Chancellor, the Petitioners have no information.

5. Mr. A.K. Mishra, learned Addl. Government Advocate appearing for the State-Opposite Parties contended that since the Chancellor is in seisin over the matter, question of issuance of writ of *quo warranto* at this stage does not arise.

6. Having heard learned Counsel for the parties and after going through the records, this Court finds that ventilating the grievance the Petitioners along with one Durga Padhi had approached the Chancellor and in turn steps are also taken by the Office of the Chancellor vide letter dated 24.08.2021 under Annexure-8. Therefore, this Court is not inclined to entertain this writ petition at this stage.

7. Accordingly, the Writ Petition stands dismissed. However, it is open to the Petitioners to pursue their remedy before the appropriate forum in accordance with law, if they are so advised.

(DR. B.R. SARANGI)
JUDGE

(S.K. MISHRA)
JUDGE

Ashok/PCD