

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.15334 of 2022

Bijay Kumar Choudhury ***Petitioner***

Mr. L. Pr. Dwivedy, Advocate

-versus-

State of Odisha and others ***Opposite Parties***

Mr. Y.S.P. Babu, A.G.A.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

04.07.2022

Order No.

- 03.
1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
 2. Heard learned counsel for the petitioner as well as learned counsel for the State. Perused the record.
 3. The present writ petition has been filed by the petitioner with the following prayers:

“Under the aforesaid facts and circumstances, it is therefore, prayed that this Hon’ble Court may graciously be pleased to:

 - (i) Quash the Order dated 05.05.2022 and the consequential Orders, dated 01.06.2022 and 15.06.2022 as at Annexure-9, 10 and 11 respectively passed by the Opp.Party No.4 by concurrently holding the same as bad, illegal and not sustainable and maintainable in the eye of law;
 - (ii) Pass such other order(s) or issue direction(s) as may be deemed fit and proper in the bona fide interest of justice.”
 4. Earlier this matter was taken up by this Court on 28.06.2022, on which date this Court directed the State counsel to take instruction in

the matter by the next date and further, directed not to take any coercive action against the petitioner till the next of listing.

5. On instruction, learned counsel for the State files a letter No.941/R.O. dated 03.07.2022 issued under signature of Commandant OSAP rd (SS) Bn., Gajapati. The copy of the letter is accepted and be kept on record.

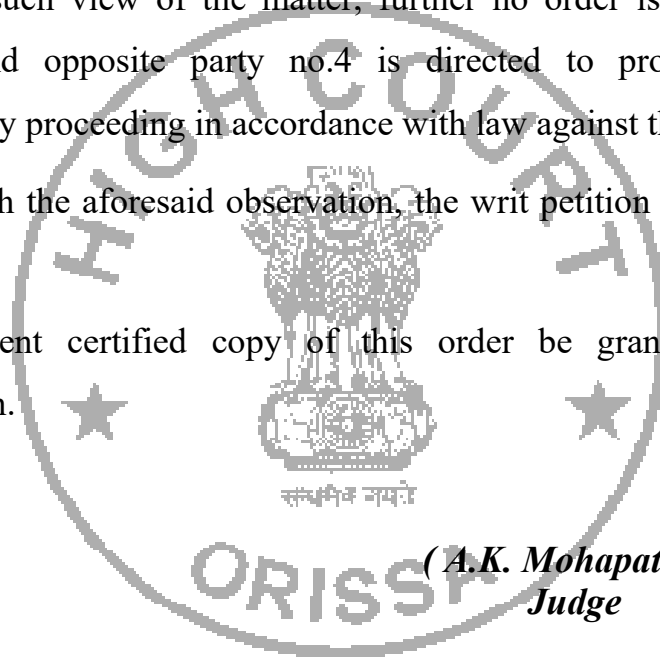
6. On perusal of the said letter, it appears that the appointment of the I.O. under Annexure-9 and further proceeding after appointment to the I.O. has been withdrawn.

7. In such view of the matter, further no order is required to be passed and opposite party no.4 is directed to proceed with the disciplinary proceeding in accordance with law against the petitioner.

8. With the aforesaid observation, the writ petition stands disposed of.

Urgent certified copy of this order be granted on proper application.

Jagabandhu



(*A.K. Mohapatra*)
Judge