

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.19536 of 2022

Sunakar Swain

....

Petitioner

Mr. Anup Kumar Pattnaik, Adv.

-versus-

State of Odisha & Ors.

....

Opposite Parties

Mr. G.R. Mohapatra, ASC

Mr. S.K. Padhi, Adv.

(for O.P.No.2)

CORAM:
DR. JUSTICE S.K. PANIGRAHI

Order
No.

ORDER
14.10.2022

- 04.
1. This matter is taken up through hybrid arrangement.
 2. Heard learned counsel for the parties.
 3. The petitioner has filed the present petition seeking quashing/setting aside the Notice dated 03.04.2017 vide Annexure-1. Further, he has sought for direction to the opposite party No.2 to refund an amount of Rs. 93,584.31/- which was recovered from the petitioner.
 4. Learned counsel for the petitioner submits that the petitioner took over the charges of Cashier at Acharya Harihar Post Graduate Institute of Cancer. But, all of a sudden, the petitioner received a notice dated 03.04.2017 from the opposite party No.2 with respect to his

involvement in commission of numerous discrepancies/irregularities in cash register which resulted in demand of recovery by the said Institute with respect to the aforesaid amount from him. Hence, he is constrained to approach this Court.

5. Learned counsel for the opposite party Nos. 2 and 3 suggested that if the petitioner approaches to the office of opposite party Nos. 2 and 3 and takes steps to explain the unadjusted advances which is enumerated in the representation at page 18 vide Annexure-2 of the writ petition, and if the authorities is satisfied regarding the same, the authority may withdraw the notice dated 03.04.2017. Further, it is submitted that the petitioner has not filed reply to the show cause notice rather approached the Court to quash the show cause Notice dated 03.04.2017 issued by the opposite party No.2 and 3.

6. Considering the limited grievance of the petitioner and without expressing any opinion on the merits of the case, this Court disposes of the writ petition directing the opposite party Nos.2 and 3 to dispose of the representation dated 29.06.2020 pending before the opposite party No.2/Director, Acharya Harihar Post Graduate Institute of Cancer as early as possible preferably within a period of fifteen days from the date of receipt of the certified copy of this order. It is further

directed that the authorities shall cooperate the petitioner in providing all the documents along with opportunity of hearing for showing his bonafideness in terms of adjustment and entries in the books of accounts.

7. With the aforesaid observation, the writ petition is accordingly disposed of.

8. Issue urgent certified copy of the order as per Rules.



(Dr. S.K. Panigrahi)
Judge

LB