

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.20751 of 2022

Dillip Kumar Nayak *Petitioner*
Mr. Bhagaban Mohanty, Adv.
-versus-
State of Odisha and Ors. *Opposite Parties*
Mr. Saswat Das, AGA

CORAM:
DR. JUSTICE S.K. PANIGRAHI

Order
No.

ORDER
09.09.2022

01. 1. This matter is taken up through hybrid arrangement.
2. Heard.
3. In this Writ Petition, the Petitioner assails the order dated 05.10.2021 passed by the Opposite Party No.3-Director, Technical Education and Training, Odisha, Cuttack imposing punishment of compulsory retirement from retrospective date i.e. from 17.07.2015 on him.
4. Learned counsel for the Petitioner submits that Departmental Proceeding has been drawn against the Petitioner vide Memorandum No.23344 dated 07.12.2015 on the allegation/ charge of unauthorized and willful absence from Government duty, disobeying the order of the higher authority which amounts to gross misconduct on the part of the petitioner. After enquiry, punishment

was imposed on the Petitioner under Annexure-11 which is a measure punishment. Being aggrieved by the said punishment, the Petitioner has filed an appeal under Rule-22 of the Orissa Civil Services (Classification, Control and Appeal) Rules, 1962 against the order of punishment before the Opposite Party No.1- Principal Secretary, Skill Development and Technical Education Department, Government of Odisha, Bhubaneswar on 04.06.2022. The said appeal is still pending before the authority.

5. In such view of the matter, the Petitioner is directed to approach the said Appellate Authority by producing a copy of this order within a period of twenty days from today. On such event, the Appellate Authority shall dispose of the appeal of the Petitioner within a period of forty-five days of production of this order.

6. Accordingly, this Writ Petition is disposed of.

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

(Dr. S.K. Panigrahi)
Judge