

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 21015 of 2022

Upendra Nayak

.....

Petitioner

Mr. C. Nayak, Adv.

Vs.

State of Odisha and Ors.

.....

Opposite Parties

Mr. A.K. Mishra, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

15.09.2022

Order No.

01.

This matter is taken up through hybrid mode.

2. The petitioner has filed this writ petition seeking to quash the notice dated 07.07.2022 under Annexure-1 and also the notice under Annexure-2 dated 04.05.2022.

3. Mr. C. Nayak, learned counsel for the petitioner contended that even though notice was issued under Section 9/7(1) of the OPLE Act, 1972 by issuing Form-B as per Rule-6(1) of the Act, but no opportunity of hearing was given to the petitioner.

4. Mr. A.K. Mishra, learned Addl. Government Advocate contended that after receiving notice, the petitioner has not filed any reply to such notice, therefore, question of hearing does not arise. As such, challenging such notice, the petitioner straightway come to this Court by filing the present writ petition.

5. In view of such position, this writ petition stands disposed of permitting the petitioner to file reply/objection before the authority concerned which shall be considered by the said authority and pass necessary order in accordance with law by affording opportunity of hearing to all the parties.

6. With the aforesaid liberty, the writ petition stands disposed of.

(DR. B.R. SARANGI)
JUDGE

Ashok