

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.21595 of 2022

Arupananda Dhal

....

Petitioner

-versus-

**CGIT-cum-Labour Court-
cum-Designated Appellate
Authority, BBSR & Another**

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

26.08.2022

Order No

- 1.** This matter is taken up through Hybrid Mode.
- 2.** Heard Mr. Panda, learned counsel for Petitioner and Mr. J. Nayak, learned Central Government Counsel.
- 3.** It is submitted that challenging the order passed under Annexure-1, even though the Petitioner preferred an appeal before the appellate authority vide Annexure-2 and the said appeal has been numbered as ATA No.19 of 2022 but due to non-functioning of the said Court, the Petitioner is unable to move the application and the interim application filed therein.
- 4.** It is submitted that in view of such practical difficulty, the present Writ Petition has been filed by the Petitioner for appropriate order by this Court.
- 5.** Mr. J. Nayak, learned Central Government Counsel on the other hand submitted that the appellate authority is holding the Circuit Bench at Bhubaneswar on different occasion and the appeal filed by the petitioner can be taken up by the said appellate authority in its Circuit Bench.

6. Considering the submissions made by the learned counsel for the Parties, this Court while disposing the Writ Petition directs the Opposite Party No.1 to take up the matter in next Circuit Bench to be held at Bhubaneswar. However, it is observed that till the appeal as well as the interim application filed by the Petitioner is taken up with passing of some order, no coercive action shall be taken against the petitioner pursuant to the impugned order passed by the Opposite Party No.2 under Annexure-1 on 10.08.2022 and there shall be stay of further proceeding of E. Proceeding Diary No.231/22.

7. Mr. Nayak is directed to provide a copy of this order to the Opposite Party No.1 for intimation and compliance.

8. With the aforesaid observation and direction, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

Subrat