

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No. 1008 of 2010

Kanhei Charan Majhi

.....

Petitioner

Mr. P.K. Rath, Advocate

Vs.

State of Odisha and others

.....

Opposite parties

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

02.02.2022

Order No.

01

This matter is taken up through video conferencing mode.

2. The petitioner has filed this writ petition seeking to quash the order passed by opposite party no.2 under Annexure-1, since the same is a non-speaking order and has been passed without following due procedure of law.

3. During the course of hearing, learned counsel for the petitioner contended that an analogous matter, i.e. WPC (OAC) No. 2917 of 2009 had come up before this Court, wherein this Court vide order dated 24.01.2022 quashed the impugned order therein, since the same were passed without any reason and rhyme and directed to extend the benefits as due and admissible to the petitioner. Learned counsel for the petitioner contended that the case is of the petitioner is squarely covered by the said ratio.

4. In view of the above, this writ petition stands disposed of in terms of the order dated 24.01.2022 passed in WPC (OAC) No. 2917 of 2009. As a consequence thereof, the impugned order under Annexure-1 is quashed and the petitioner is entitled to get the benefits as due and admissible to him in accordance with law.

5. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned advocate, in the manner prescribed, vide Court's Notice No.4587 dated 25th March, 2020, as modified by Court's Notice No. 4798 dated 15th April, 2021, and Court's Office Order circulated vide Memo Nos.514 and 515 dated 7th January, 2022.

Ashok

(DR. B.R. SARANGI, J.)

