

IN THE HIGH COURT OF ORISSA AT CUTTACK

CRLMP No.1973 of 2022

Deviarchana Mohanty **Petitioner**

Mr. Sanjib Mohanty, Advocate.

-versus-

State of Odisha & others **Opp. Parties**

Mr. D. Mund,
Additional Government Advocate.

CORAM:

DR. JUSTICE S.K. PANIGRAHI

ORDER

22.11.2022

Order No.

2. 1. This matter is taken up through Hybrid Arrangement.
2. Heard learned counsel for the petitioner and learned counsel for the State.
3. The petitioner, who is the Principal of Choudwar Women's Junior College, Choudwar, has lodged an F.I.R. against one Shri Ashok Kumar Parija, the former In-Charge of Principal of the said college was engaged in some serious crime by tampering the college documents, stealing some important documents of other Lecturers and staffs of the college destroying some resolutions of the Governing Body of the college regarding approval of other staffs as a result of which they are facing immense

difficulties in getting their salaries. The F.I.R. was lodged on 06.03.2020 against Shri Parija and the police has submitted Final Report after investigation wherein the accused has been charged with Section 409, I.P.C. However, the said accused has not yet been arrested by Choudwar police on the ground of an interim order dated 18.03.2021 passed by this Court in ABLAPL No.13707 of 2020 protecting him from arrest. Learned counsel for the petitioner further submits that the said interim order has already been vacated by this Court on 21.04.2022. Despite this vacation of the interim order, the accused has not yet been arrested by the police reasons best known to them. Since Charge Sheet has already been filed, the petitioner has approached the higher authority of the police, but it was unsuccessful.

4. At this juncture, learned counsel for the State submits that since the matter is pending before the learned S.D.J.M. (Sadar), Cuttack vide G.R. Case No.544 of 2020, the said Court is in seisin over the matter and he/she is the competent authority to take steps, the petitioner should approach the said authority for the redressal of his grievance as set out in the present petition.

5. In such view of the matter, this Court directs the petitioner to approach the learned S.D.J.M. (Sadar),

Cuttack. In the event, such a motion is made, the learned S.D.J.M. would do well to take appropriate steps on such motion as per law.

6. The CRLMP is accordingly disposed of.

7. Issue urgent certified copy of this order on proper application.

(Dr. S.K. Panigrahi)

Judge



amit