

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.267 of 2018

Dr. Satyapriya Dash

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

23.08.2022

Order No

1. 1. This matter is taken up through Hybrid Mode.
2. 2. Heard Mr. J.K. Lenka, learned counsel for the petitioner and Mr. R.N. Mishra, learned A.G.A.
3. 3. The petitioner has filed the present writ petition with the following prayer:
 - (a) *Set aside the Annexure-1 charge sheet dated 1.10.2016.*
 - (b) *issue any other order/direction which would afford complete relief to the applicant, in the facts and circumstances of the case.*
4. 4. It is submitted that the charges framed against the petitioner are not maintainable and the petitioner is unnecessarily entangled in the said case. This Court after going through the materials available on record finds that after receipt of the charges, the petitioner has already submitted his written statement of defence and all the stands taken in the writ petition can be taken care of by the disciplinary authority.

5. Mr. Mishra, learned A.G.A on the other hand submitted that after completion of the enquiry, the enquiry officer has already submitted the enquiry report.

6. In view of such submissions made by the learned counsel for the parties, this Court though is not inclined to entertain the prayer as made in the writ petition, but directs Opp. Party No.1 to conclude the proceeding so initiated against the petitioner vide memorandum No.12267 dated 1.10.2016, by the end of December, 2022 as it is submitted that the petitioner is going to retire on that date. However, it is observed that while concluding the proceeding, the said authority shall follow the provisions contained under the OCS (CCA) Rules, 1962.

7. The interim order passed earlier stands vacated.

8. The Writ Petition is accordingly disposed of.

(Biraja Prasanna Satapathy)
Judge