

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) (OAC) No.1848 of 2018

Kantheswar Mallick

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER
20.09.2022

Order No

- 1.** This matter is taken up through Hybrid Mode.
- 2.** Heard Mr. R.N.Parija, learned counsel for the Petitioner and Mr. Prusty, learned Addl. Standing Counsel for the State-Opposite Parties.
- 3.** The present Writ Petition has been filed by the Petitioner challenging the order of dismissal dated 04.04.2018 passed by the D.E.O., Kandhamal, Phulbani under Annexure-1.
- 4.** Mr. Prusty, learned Addl. Standing Counsel for the State on the other hand submitted that the Petitioner has been dismissed from service because of his conviction and sentence passed in S.T. Case No.36/2012 arising out of 1.C.C Case No.36 of 2010 by the learned S.D.J.M., Balliguda.
- 5.** It is also submitted that challenging such order of conviction and sentence, the Petitioner has already approached this Court in Criminal Appeal No.90/2017 and this Court while admitting the matter has not stayed the order of conviction and sentence.

6. In that view of the matter, this Court finds no illegality or irregularity in the impugned order of dismissal passed under Annexure-1 and accordingly is not inclined to entertain the Writ Petition. While dismissing the same, it is observed that such order of dismissal shall be subject to final outcome of Criminal Appeal No.90 of 2017.

7. Accordingly, the Writ Petition is dismissed with the aforesaid observation.

(Biraja Prasanna Satapathy)
Judge

Subrat

