

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.26380 of 2022

Purna Chandra Patra

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

13.10.2022

Order No

- 1.** This matter is taken up through Hybrid Mode.
- 2.** Heard learned counsel for Petitioner and learned counsel for the State-Opposite Parties.
- 3.** The present Writ Petition has been filed with the following prayer:-

“ Under the above facts and circumstances of the case, this Hon’ble Court may graciously be pleased to issue a writ of mandamus or any other appropriate writ/writs by quashing the order of dismissal vide order dt.06.09.2020 under Annexure-3 since the same has been passed violating Article 311(2)(b) of Constitution of India and Rule-828 read with Appendix 49 read with 12(c) of Orissa Police Manual by disposing the appeal dt.28.7.2022 pending adjudication before Opp. Party No.3;

And this Hon’ble Court further be pleased to observe that the principle of natural justice has not been followed while dismissing the petitioner from his service as the order of dismissal was passed when the petitioner was in custody.

And further be pleased to reinstate the petitioner in his service with all consequential service benefits.

And further be pleased to grant all consequential and service benefits to the petitioner.

And further be pleased to pass any such other order(s), direction(s) as deemed fit and proper under the facts and circumstances of the case.

And for which act of kindness, the petitioner shall as in duty bound ever pray”.

4. Considering the innocuous nature of prayer made in the Writ Petition, this Court while disposing the Writ Petition directs the Opposite Party No.3 to dispose of the appeal pending before him vide Annexure-4 within a period of six months from the date of receipt of this order, if there is no other legal impediment.

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

(Biraja Prasanna Satapathy)
Judge

Subrat