

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) (OA) No.1030 of 2018

Ramkanta Jena

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

**COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

ORDER

14.09.2022

Order No

- 1.** This matter is taken up through Hybrid Mode.
- 2.** Heard Ms. Sarita Panda, learned counsel appearing on behalf of Mr. G.P. Pattnaik, learned counsel for the Petitioner and Mr. Y.S.P. Babu, learned Addl. Government Advocate for the State-Opposite Parties.
- 3.** The present Writ Petition has been filed by the Petitioner with the following prayer:-
 - “(i) Hon’ble Tribunal kindly admit and allow the original application.*
 - “(ii) Hon’ble Tribunal kindly allow the provisional pension in favour of the applicant as per the decision passed by our own High Court as per Annexure-3.*
 - “(iii) Hon’ble Tribunal kindly pass order directing the respondents to release his unpaid salary i.e. from 01.03.2014 to 18.03.2014.*
 - “(iv) Hon’ble Tribunal kindly grant any the reliefs in favour of the applicant for ends of justice”.*
- 4.** Learned counsel for the Petitioner submitted that since the Petitioner was dismissed from service because the order of his conviction and sentence passed in Balasore Vigilance P.S. Case No.12, dtd. 26.06.1994 and the Petitioner challenging the said

order of conviction and sentence passed by this Court in Criminal Appeal No.129 of 2011. This Court finds no illegality in the order of dismissal and accordingly in view of such order of dismissal passed against the Petitioner is not entitled to get the benefit as prayed for in the writ petition.

5. However, it is observed that the Petitioner can reiterate the said prayer subject to the final outcome of the Criminal Appeal No.129/2011.

6. Accordingly, the Writ Petition is disposed of with the aforesaid observations and directions.

(Biraja Prasanna Satapathy)
Judge

Subrat

