

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OA) No.2113 of 2018

Laxman Mallick

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

20.09.2022

Order No

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. K.C. Sahu, learned counsel for the Petitioner and Mr. B. Panigrahi, learned ASC appearing for the Opp. Parties.
3. The Petitioner has filed the present writ Petition challenging the order of dismissal passed vide order dtd.02.08.2018 under Annexure-5.
4. Mr. Panigrahi, learned ASC appearing for the Opp. Parties submitted that the said order of dismissal has been passed because of the order of conviction and sentence passed against the Petitioner in G.R. Case No. 20 of 2015 by the learned Special Judge, Vigilance, Phulbani vide Judgment dtd.13.07.2018.
5. It is also submitted that challenging the said order of conviction and sentence the Petitioner approached this Court in Criminal Appeal No. 511 of 2018 and this Court while admitting the matter has not passed any interim order by staying the operation of the order of conviction and sentence.

6. In view of such factual position, this Court finds no illegality or irregularity in the order of dismissal passed on 02.08.2018 under Annexure-5. Accordingly, this Court is not inclined to entertain the prayer as made in the writ Petition and dismiss the same. It is however observed that the said order of dismissal shall be subject to the final outcome of Criminal Appeal No. 511 of 2018.

7. The writ Petition is dismissed with the aforesaid observation.

(Biraja Prasanna Satapathy)
Judge

Sneha

