

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OA) No.1701 of 2015

Panchanan Acharya

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

21.06.2022

Order No

04.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard Mr. R. Mohanty, learned counsel for the Petitioner and Mr. N.K. Praharaj, learned Standing Counsel appearing for the State-Opp. Parties.

3. The Petitioner is aggrieved by the order passed on 21.05.2015 under Annexure-5, wherein the Authority passed the order to withhold the pension and gratuity of the Petitioner in full because of the conviction and sentence passed against the Petitioner in G.R. Case No. 18 of 2005 by the learned Special Judge (Vigilance), Jeypore under Annexure-1.

4. It is not disputed that against the said order of conviction and sentence the Petitioner has already approached this Court in Criminal Appeal No. 593 of 2014 and the said appeal is subjudiced

before this Court. It is also not disputed that no order of stay has been passed staying the order of conviction and sentence.

5. In view of such admitted position, no illegality has been committed by the Authority in issuing the order at Annexure-5. But however, it is observed that the said order dtd.21.05.2015 under Annexure-5 shall be subject to the final outcome of Criminal appeal No. 593 of 2014. The Petitioner is at liberty to make an appropriate application for early disposal of criminal appeal No.593 of 2014.

6. With the aforesaid observation and direction the writ Petition is disposed of.

Sneha



(Biraja Prasanna Satapathy)
Judge