

**IN THE HIGH COURT OF ORISSA AT CUTTACK**

**WPC(OAC) No.2488 of 2016**

*Sarat Kumar Patra*

....

***Petitioner(s)***  
Mr.S.Mallik, Advocate

*-versus-*

*State of Orissa*

....

***Opp.Party(s)***  
Mr.U.K.Sahoo, ASC

**CORAM:**  
**JUSTICE BISWANATH RATH**

**ORDER**  
**23.08.2022**

**Order No.**

3.

1. Heard learned counsel appearing for the Parties.  
2. Petition involved challenge to the punishment order by virtue of closure of Disciplinary Proceeding passed by the competent authority on the sole ground of non-supply of documents. Petitioner even though taking such serious allegation, on perusal of material clearly disclosed that petitioner has not raised such ground before the Disciplinary Authority for its consideration after service of report on the Disciplinary Proceeding leaving any scope for consideration of such aspect by the Disciplinary Authority. Further looking to the Annexure-10, this Court finds the petitioner was charged as follows:-

1. Gross negligence in duty.
2. Disobedience of the orders of higher authority.
3. In subordination.
4. Dereliction in duty.
5. Financial irregularities.
6. Callousness in discharging official duty.
7. Misconduct.
8. Malafide intention.

It is needless to mention here that each charge taken note here is a serious charge.

3. Reading the above discloses petitioner was charge-sheeted at least in eight charges. Perusal of inquiry report it again reveals many of

the charges have been established. For the nature of allegation and establishment of so many charges in the inquiry proceeding, this Court finds award of stoppage of one increment with cumulative effect by way of punishment appears to be at a very lower side. For there is already lesser punishment in spite of petitioner involved in so many serious charges, this Court finds no ground for interfering in the order of punishment. Consequently, the Petition stands dismissed.

***(Biswanath Rath)***  
***Judge***

*Sks*

