

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.27617 of 2022

Rashmi Rekha Nayak

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

20.10.2022

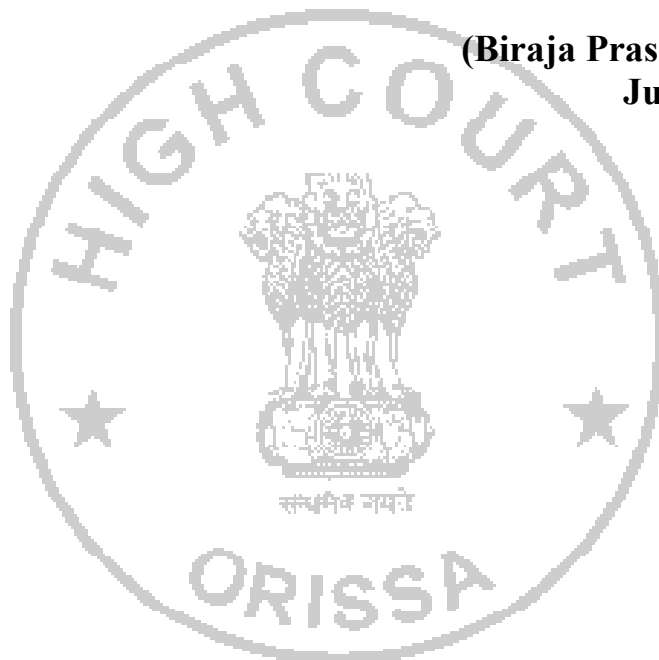
Order No

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. A.K. Das, learned counsel for the Petitioner and Mr. Ch. S. Mishra, learned AGA appearing for the Opp. Parties.
3. It is submitted that against the order of disengagement passed under Annexure-1, the Petitioner moved the O.P. No. 1 under Annexure-3. It is also submitted that the Petitioner though was disengaged due to her arrest in connection with Mahila P.S. Case No. 125 dt.07.11.2005, but the Petitioner was acquitted of the charge vide Judgment dt.06.09.2013 under Annexure-2, But it is submitted that on the ground of pendency of W.P.(C)(OAPC) No.09 of 2016, O.P. No. 1 rejected the Petition vide the impugned order at Annexure-4. It is submitted that the aforesaid writ Petition in the meanwhile was disposed of by this Court vide order dtd.06.09.2022 under Annexure-5.
4. Learned counsel for the Petitioner submitted that since the prayer of the Petitioner for his re-instatement was rejected only on the

ground that the matter is pending before this Court. Taking into account the disposal of the matter on 06.09.2022, this Court is inclined to quash the order at Annexure-5. While quashing the same, O.P. No. 1 is directed to take a fresh decision on Annexure-3 on its own merit and taking into account the acquittal of the Petitioner in the criminal case within a period of one month from the date of receipt of this order.

5. The writ Petition is disposed of with the aforesaid observation and direction.

Sneha



(Biraja Prasanna Satapathy)
Judge