

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.27694 of 2022

Ameeya Kumar Nath

....

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 learned counsel for the Parties.
3. It is submitted by the learned counsel for the Parties that the issue involved in this writ Petition has already been decided by this Court in W.P.(C) No.26372 of 2022 dated 19.10.2022.
4. In view of the above, this Court is inclined to quash the impugned order dtd.18.07.2022 under Annexure-11 and while quashing the same, disposed of the writ Petition in the light of the order passed by this Court in its Judgment dtd.19.10.2022 in W.P.(C) No.26372 of 2022.
5. However it is further observed that since this Court in the earlier writ Petition in W.P.(C) No.17564 of 2022 had directed the O.P. No. 1 to consider the case of the Petitioner in the light of the decision rendered in the case of *Ashis Awasthi*, this Court finds that the O.P. No. 1 in complete violation of the said direction, rejected the claim with passing of the impugned order. This Court while deprecating such action of O.P. No. 1 directs the O.P. No. 1 to take

a decision in the light of the order passed by this Court in W.P.(C) No. 26372 of 2022. The said exercise shall be completed within a period of 1(one) month from the date of receipt of this order.

6. The writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

Sneha

