

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAB) No.24 of 2016

Thana Sundar Sarap

....

Petitioner

-versus-

**District Education Officer &
Anr.**

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

15.07.2022

Order No

01.

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

2. Heard Mr. Sahu, learned counsel for the Petitioner and Mr. Biplab Mohanty, learned standing counsel appearing for the Department.

3. The Petitioner is aggrieved by the order of dismissal passed by the District Education Officer, Kalahandi on 19.11.2016 under Annexure-4. It is submitted by Mr. Mohanty, learned SC that such order of dismissal was passed against the Petitioner because of his conviction and sentence in G.R. (Vigilance) Case No.15/2012. In the said vigilance case the Petitioner was convicted and sentenced vide Judgment dtd.27.09.2016. It is also submitted that against the said order of conviction and sentence the Petitioner has approached this Court in Criminal appeal No.527/2016 and the said appeal is subjudiced before this Court.

4. Since the order of dismissal has been passed because of the conviction and sentence passed against the Petitioner, no illegality is found as against the said order. Accordingly, this Court is not inclined to interfere with the office order dtd.19.11.2016 passed by the DEO, Kalahandi under Annexure-4. However, it is observed that the said order shall be subject to final outcome of the criminal appeal No.527/2016.

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

Sneha



(Biraja Prasanna Satapathy)
Judge