

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.C. (OAC) No.524 of 2016

Shri Ramesh Chandra Nayak ***Petitioner***
Mr. Kaushal Hussain, Proxy Counsel on behalf
of Mr. Kali Prasanna Mishra, Sr. Advocate
-versus-
State of Odisha & Others ***Opposite Parties***
Mr. M.K. Khuntia, AGA

CORAM:
JUSTICE M.S. RAMAN
ORDER
20.07.2022

Order No.

10. 1. This matter is taken up through virtual/physical mode.
2. The Original Application No. 524 of 2016 was filed before the State Administrative Tribunal, Cuttack Bench, Cuttack. After its abolition, the same has been transferred to this Court which is renumbered as WPC (OAC) No. 524 of 2016.
3. Counsel for the Petitioner submitted that disciplinary proceeding initiated against the Petitioner was dropped way back on 17th August, 2011 and the Petitioner was acquitted from criminal case being T.R. No.1445 of 2012, corresponding to G.R. Case No.760 of 2003 vide judgment dated 21st November, 2012 delivered by the Judicial Magistrate First Class, Cuttack.
4. In view of the fact that neither disciplinary proceeding nor criminal case being pending against the Petitioner, there was no option left for the authorities not to consider disbursement of leave salary, gratuity and regular pension and other retiral benefits.

5. Mr. Kaushal Hussain, Proxy Counsel on behalf of Mr. Kali Prasanna Mishra, Sr. Advocate for the Petitioner submitted that he has no up-to-date instruction in this matter.

6. In view of such submission, the writ petition stands disposed of reserving liberty to the counsel for the Petitioner to revive the same within a period of 90 days, if cause of action still subsists.

7. With the aforesaid liberty, the writ petition stands disposed of.

Laxmikant



(M.S. Raman)
Judge