

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.2477 of 2014

Dr. Ratnarenu Baliarsingh

Petitioner

Mr. A.N. Das, Adv.

-versus-

State of Odisha

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Opp. Parties

Mr. G.R. Mohapatra, ASC

**CORAM:
MR. JUSTICE S.K. PANIGRAHI**

**ORDER
05.04.2022**

Order No.

01. 1.This matter is taken up by hybrid mode.
2. The petitioner had filed the original application before the State Administrative Tribunal, Cuttack Bench, Cuttack, which has been transferred to this Court.
3. The petitioner was appointed as Assistant Dental Surgeon in the District Headquarters Hospital, Phulbani in June 1994 after completion of Master Degree in Dental Surgery from the King George Medical College, Lucknow.
4. The petitioner was transferred to SCB Dental College and Hospital, Cuttack on 17.12.1995. She was working there as Associate Professor in the Department of Pedodontics and Preventive Dentistry till she was transferred to V.S.S. Medical College and Hospital, Burla vide Government of Orissa Notification dated 11.11.2011.

5. There was an allegation against the present petitioner and a preliminary enquiry was conducted by the Joint DMET (O) against the alleged complaint by the Principal, SCB Dental College and Hospital, Cuttack. Thereafter, memorandum and article of charges against the petitioner were framed.

6. In response to such memorandum of charges, she filed the statement of defence raising the question of maintainability of enquiry etc. Subsequently, the DMET enquired into the matter as Inquiring Authority and submitted his report and recommended the petitioner to be censured as found guilty of charge No.(iii) misconduct.

7. The petitioner submitted her representation against the findings of the Inquiring Authority. However, the Government enhanced the penalties as (i) censure and (ii) withholding two increments with cumulative effect without assigning any reason. The petitioner again filed her representation against the proposed penalties by the Government, which yielded no result.

8. Learned counsel for the petitioner submits that the charge of misconduct against the petitioner was proved and the enquiry officer recommended necessary direction to the petitioner not to repeat such type of behavior in future.

9. In that view of the matter, the punishment prescribed by the authority is quite justifiable and the WPC (OAC) is accordingly dismissed.

(S.K. Panigrahi)
Judge