

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.C(OAC) No.1054 OF 2016

Sabita Acharya

....

Petitioner

-versus-

State of Odisha & Others

....

Opp. Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

06.09.2022

Order No

2.

1. This matter is taken up through Hybrid Mode.

2. Heard learned counsel for the petitioner and Mr. Choudhury S. Mishra, learned A.G.A

3. The present writ petition has been filed by the petitioner challenging the order of dismissal passed on 8.2.2016 under Annexure-3.

4. Mr. Mishra, learned AGA submitted that the said order of dismissal was passed by Opp. Party No.2 because of the order of conviction and sentence passed by the learned Special Judge, Vigilance in Cuttack Vigilance P.S. Case No.3 of 2007. Mr. Mishra, learned A.G.A further submitted that challenging the order of conviction and sentence, the petitioner has already approached this Court in CRLA No.552 of 2015. It is also submitted that the order of conviction and sentence has not been stayed by this Court while admitting the appeal vide order dated 12.11.2015.

5. In view of such position, I am of the view that the order of dismissal has been passed on the ground of order of conviction and sentence passed against the petitioner. This Court finds no illegality in the order dated 8.2.2016 and accordingly not inclined to interfere with the same.

6. This Court while dismissing the writ petition observe that the order of dismissal passed under Annexure-3 shall be subject to the final outcome of CRLA No.552 of 2015.

7. Accordingly, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

sangita

