

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.C(OA) No.2364 of 2014

Raj Kishore Naik

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
31.03.2022**

Order No

1. 1. This matter is taken up through Hybrid Mode.
2. 2. Heard Mr. S.S.K.Subudhi, learned counsel for the Petitioner and Mr. M.K.Balabantaray learned counsel for the State-Opposite Parties.
3. 3. The Petitioner has filed the present Writ Petition for the following relief:-

“(i) Admit and allow the Original Application;

(ii) Necessary direction be issued to the Respondent No.2 to drop the departmental proceeding pending against the applicant;

(iii) Any other relief(s) as the Hon’ble Tribunal deems fit and proper be awarded in favour of the applicant for the interest of justice”.

4. 4. Learned Tribunal while taking up the matter on 24.10.2014 had passed the following order:-

“O.A. No.2364 / 2014

Taken up from supplementary list.

Heard learned counsel for the applicant, Mr. S.S.K.Subudhi and learned Standing Counsel, Mr. B.Das.

The applicant has challenged the departmental proceeding bearing No.26 dtd. 10.1.1997 initiated against him.

Learned counsel for the applicant submitted to pass appropriate order directing respondents-authorities to dispose of the above proceeding within a stipulated period.

Learned Standing Counsel seeks time to take instruction as to at which stage the proceeding is pending and whether the delay for its conclusion is due to laches of the applicant.

List this matter in the second week of November, 2014 and learned Standing Counsel is directed to obtain instruction at which stage the departmental proceeding is pending”.

5. Today when the matter is listed neither the Petitioner’s counsel nor the State counsel were having any instructions with regard to the stage of the Departmental Proceeding initiated against the Petitioner vide Office Order No.26, dated 10.01.1997.

6. Be that as it may, taking into account the prayer made in the Writ Petition and the inability of both the counsels to apprise this Court with regard to the stage of the Departmental Proceeding, this Court is of the view that the Departmental Proceeding initiated against the Petitioner on 10.01.1997 be disposed of within a period of six months from the date of production of the copy of the order, if it has not yet been disposed of in the meantime.

7. It is observed that this Court has not expressed any opinion on the merits and contention of the Petitioner and

the Disciplinary Authority is at liberty to take his own view while deciding the matter.

8. With the aforesaid observation and directions, the Writ Petition (OA) is disposed of.

(Biraja Prasanna Satapathy)
Judge

Subrat

