

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 28523 OF 2022

Manoranjan Nayak

....

Petitioner

Mr. K. Pradhan, Advocate

-versus-

State of Odisha and others

....

Opp. Parties

Mr. Baibaswata Panigrahi,
Additional Standing Counsel

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

23.11.2022

Order No.

2. 1. This matter is taken up through hybrid mode.
2. This writ petition has been filed with a prayer to release the vehicle of the Petitioner bearing Registration No.OD-33-L-0719 (Bolero MAX Truck Plus).
3. Taking into consideration the submission made by learned counsel for the Petitioner, this Court vide order dated 14th November, 2022 directed learned State Counsel to take instruction in the matter. Today, Mr. Panigrahi, learned Additional Standing Counsel, on instruction, submits that OR Case No.10 of 2022-23 under Rules 12 and 14 of the Orissa Timber and other Forest Produce Transit Rules, 1980 read with Section 56 of the Odisha Forest Act, 1972 has already been initiated against the Petitioner. As the Petitioner is not cooperating with the Range Officer, Tangi Forest Range- Opposite Party No.4, the inquiry could not be completed. He also submits that if the Petitioner cooperates with the Opposite Party No.4, inquiry can be completed at the earliest and confiscation proceeding can be disposed of accordingly.

4. Mr. Pradhan, learned counsel for the Petitioner submits that he is ready to cooperate with the Officers of the Forest Department, if notice to that effect is issued. No notice has yet been issued to the Petitioner to appear and cooperate for inquiry.

5. In view of the above, the writ petition is disposed of with a direction that notice shall be issued to the Petitioner, if his appearance/cooperation is required for completion of inquiry by the concerned Officer as expeditiously as possible preferably within a period of fourteen days hence and in that event, the Petitioner shall co-operate for completion of inquiry. Steps for early disposal of O.R. Case No.10 of 2022-23 shall also be taken by the Authorised Officer-cum-Assistant Conservator of Forest, Khurda-Opposite Party No.3.

6. As requested by Mr. Panigrahi, learned Additional Standing Counsel, copy of this order be handed over to him for communication and compliance.

Urgent certified copy of this order be granted on proper application.

(K.R. Mohapatra)
Judge

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