

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAC) No.3045 of 2016

Arjuna Bhoi

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
11.08.2022**

Order No

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. G.N. Mohapatra, learned counsel for the Petitioner and Mr. R.N. Mishra, learned AGA appearing for the State-Opp. Parties.
3. The present writ Petition has filed by the Petitioner challenging the order dtd.23.05.2016 under Annexure-4. Since this order is an appellable one, this Court is not inclined to entertain the writ Petition. However, in view of the pendency of the matter for the last six years liberty is granted to the Petitioner to prefer an appeal before the Appellate Authority.
4. It is observed that if any such appeal is filed within a period of three (3) weeks from today, the Appellate Authority shall entertain the same and decided the matter on its own merit without insisting on delay in filing the said appeal.

5. It is further observed that till the appeal is decided on merit, no recovery shall be effected in terms of the order dtd.23.05.2016. However, it is further observed that if no such appeal is filed within the aforesaid time period, then the Authority will be free to take appropriate step for recovery of the amount.

6. The writ Petition is disposed of with the aforesaid observation and directions.

(Biraja Prasanna Satapathy)
Judge

Sneha

