

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAC) No.2299 of 2015

Kiran Kumar Panda

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
29.06.2022**

Order No

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. Namtoar, learned counsel for the Petitioner and Mr. Balabantaray, learned Standing Counsel for the Opposite Parties.
3. The Petitioner has filed the present Writ Petition with the following prayer:-

“ In view of the facts stated in para-6 above, the applicant prays for the following relief(s):-

- (i) To quash the impugned memorandum of proceeding dated 22.11.2013 and 18.11.2014 under Annexure-1 & 4 respectively treating the same as illegal, unjust and bad in law;*
- (ii) To direct the Respondents, to accept the defence statement of the applicant dt.27.12.2013 under Annexure-3, and supply all the document asked by the applicant and allow him to file further addition defence statement if necessary;*
- (iii) To pass any other order/orders, directions as would be deemed fit and proper which would give complete relief to the applicant.”*

4. It is submitted that after initiation of the proceeding against the Petitioner under Annexure-1, the Disciplinary Authority is not providing the documents as prayed for by the Petitioner in his application dtd.06.12.2013 under Annexure-2. It is also the case of the Petitioner that the written statement of defence as prepared in absence of such documents is also not accepted by the said Disciplinary Authority.

5. This Court while issuing notice of the matter has passed an interim order restraining the Opp. Party from passing any final order in the said proceeding. In view of such order passed by this Court, while disposing the writ Petition, I direct the O.P. No. 3 to provide the documents as prayed for in Annexure-2 within a period of one (1) month from today. On receipt of such documents, the Petitioner will be allowed further four (4) weeks time to file his written statement of defence. The said Opp. Party after receipt of the written statement of defence shall proceed with the inquiry in accordance with law and pass appropriate order thereon, in which this Court has not expressed any opinion.

6. The writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha