

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAC) No.2369 of 2015

Raj Kishore Sahoo

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

27.06.2022

Order No

01.

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. Dwivedy, learned counsel for the Petitioner and Mr. Balabantaray, learned counsel appearing for the State-Opp. Parties.
3. The Petitioner has filed the present writ Petition with the following relief:-

“(i) hold/declare that no Disciplinary proceeding can be initiated against the applicant as the Respondents failed to initiate the Disciplinary Proceeding against the applicant during the applicant was placed under suspension for a period of 3 and ½ years and thereby direct the Respondent to regularize the suspension period of the applicant;

(ii) pass such other order(s) or issue direction (s) as may be deemed fit and proper in the interest of justice;”

4. It is submitted that the Petitioner was placed under suspension vide order dtd.26.11.2011 under Annexure-1 and while continuing as such he was reinstated in service vide order dtd.08.04.2015 under Annexure-4. It is submitted that even though the Petitioner was reinstated, but the period of suspension has not been regularized. The Petitioner accordingly was deprived to get the benefit of increment and other benefits. It is also submitted that no proceeding was ever initiated against the Petitioner.

5. Considering such submission, this Court permits the Petitioner to approach the O.P. No. 2 for redressal of his grievance as made in the writ Petition.

6. It is observed that if any such application is filed within a period of three (3) weeks hence, O.P. No. 2 shall take a decision on the same by giving a personal hearing to the Petitioner within a further period of three (3) months. It is further observed that this Court has not expressed any opinion on the merits of the case.

7. The writ Petition is disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Sneha