

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.C(OAPC) No.151 of 2016

Jatindranath Dash

....

Petitioner

-versus-

State of Odisha & Others

....

Opp. Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

15.7.2022

Order No

- 1.** 1. This matter is taken up through Hybrid Mode.
- 2.** Heard Mr. B.R. Barick, learned counsel for the Petitioner and Mr. Rout, learned A.S.C
- 3.** The petitioner is aggrieved by the office order dated 24.10.2013 passed by the Chief Engineer, PH(U) whereby the petitioner has been dismissed from his service. It is submitted by Mr. Rout, learned counsel for the State that because of his conviction and sentence in T.R. Case No.22 of 2023, the petitioner was dismissed from his service vide the impugned order.
- 4.** It is also submitted that challenging the said order of conviction and sentence the petitioner has approached this court in Crl. Appeal No.458 of 2013 and the said appeal is sub judice before this Court. The order at Annexure-3 also shows that the order of conviction and sentence has not been stayed by this Court. Accordingly, it is submitted that because of his conviction and sentence in the vigilance case, he has been rightly dismissed. This Court is also of the opinion that since the petitioner is a convicted employee, the impugned order has been rightly passed by

the Opp. party No.2 and no interference is called for. However, it is observed that the said order of dismissal shall be subject to outcome of Crl. Appeal No.458 of 2003.

5. With the aforesaid observation and direction, the Writ Petition is disposed of.

(Biraja Prasanna Satapathy)
Judge

