

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.C(OA)No.810 of 2016

Budhram Sunyani

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

COROM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

28.07.2022

Order No

1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel for the petitioner and Mr. Mishra, learned A.G.A
3. The Petitioner is aggrieved by the communication issued by the Government of Odisha, General Administration(Vigilance) Department on 31.3.2016 under Annexure-3. The said communication was issued with a direction on the authority to take an appropriate action for dismissal of the petitioner from his service because of his conviction and sentence passed by the learned Special Judge, vigilance, Jeypore in G.R. Case No.12 of 2006(V)/TR No.28 of 2009. It is submitted that against the said order of conviction and sentence, the petitioner has already approached this Court in CrI. Appeal No.512 of 2015 and the said appeal is sub judice before this Court.
4. Since the petitioner is a convicted employee and there is no interim order staying the order of conviction and sentence by this Court, this Court finds no illegality in the communication dated 31.3.2016. The authorities are free

to take an appropriate action basing on the said communication dated 31.3.2016. However, any such action taken shall be subject to the final outcome of Crl. Appeal N0.512 of 2015.

5. The Writ Petition is accordingly disposed of.
6. Interim order passed earlier stands vacated.

(Biraja Prasanna Satapathy)
Judge

sangita

