

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No.3945 of 2014

Biswanath Mohapatra **Petitioner**

-versus-

State of Odisha & Ors. **Opposite Parties**

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
22.12.2022**

Order No

- 05.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Pursuant to the order passed by this court on 20.12.2022, learned counsel for the Petitioner produced the copy of the enquiry report submitted in respect of the Petitioner Sri Dibya Swarup Panda in O.A. No. 1679(C) of 2014. The same be kept on record.
3. Heard Mr. B. Mansingh, learned counsel for the Petitioner and Mr. D.K. Mohanty, learned Addl. Standing Counsel appearing for the State-Opp. Parties as well as Mr. Ansuram Mishra, learned counsel appearing for O.P. No. 4.
4. The present writ petition has been filed with a prayer to quash the order under Annexure-1, 5 & 7. It is contended that similar proceeding initiated against Sri Dibya Swarup Panda with similar nature of charges was quashed by the Tribunal in its order dtd.13.10.2016 in O.A. No. 1679(C) of 2014.
5. This Court after going through the charges framed against the said Sri Dibya Swarup Panda as well as the enquiry report, finds

that the present Petitioner and Sri Dibya Swarup Panda stand in the similar footing. This fact was also not disputed by the learned Addl. Standing Counsel appearing for the State.

6. In view of the order passed in respect of the Petitioner in O.A. No. 1679(C) of 2014, this Court is inclined to quash the proceeding initiated against the Petitioner under Annexure-1.

7. The writ petition is accordingly allowed.

(Biraja Prasanna Satapathy)
Judge

Sneha

