

**IN THE HIGH COURT OF ORISSA AT CUTTACK**  
**WPC(OAC) No.2471 of 2014**

*Krushna Chandra Kalo* ..... *Petitioner*  
*Mr. Jibanananda Mohanty, Adv.*  
-versus-  
*State of Odisha & Ors.* ..... *Opposite Parties*  
*Mr. H.K. Panigrahi, ASC*

**CORAM:**  
**DR. JUSTICE S.K. PANIGRAHI**

**Order**  
**No.**

**ORDER**  
**11.08.2022**

04. 1. This matter is taken up through hybrid arrangement.
2. Heard.
3. In this Writ Petition, the petitioner has been appointed as a contractual driver on 19.07.2008.. Wherein his service have been terminated with immediate effect on the ground that he was arrested in connection with Dhanupali P.S. Case No. 228, dated 14.10.2012 under Section 395 of I.P.C. and forwarded to jail custody.
4. Learned counsel for the petitioner submits that the dismissal from service with immediate effect is complete violation of natural justice. Before the order of termination the petitioner should have been given a chance to put forth his position.
5. Learned counsel for the petitioner also relied on *K. Raghupathi v. State of U.P. and Ors. Reported in (2022 6*

SCC 346), wherein it has been stated in Para-14 without following the principles of natural justice the petitioner should not have been dismissed on that ground only the appeal was allowed.

6. Learned counsel for the State submits that since the petitioner's employment was contractual and purely temporary in nature and can be terminated at any time without prior notice assigning any reason thereof. Hence, the argument of principle of natural justice does not hold good.

7. In view of the above facts, the court in of the view that the reliance place on by the petitioner in the judgment of *K. Raghupathi v. State of U.P. and Ors.* distinguishable on facts.

8. Accordingly, this WPC(OAC) is dismissed.

(Dr. S.K. Panigrahi)  
Judge

SD