

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.C. (OAC) No.2584 of 2014

Pradeep Kumar Sinha

....

Petitioner

None

-versus-

State of Odisha & Others

....

Opposite Parties

Mr. M.K. Khuntia, AGA

CORAM:

JUSTICE M.S. RAMAN

ORDER

11.04.2022

Order No.

- 01.
1. This matter is taken up through virtual/physical mode.
 2. The Original Application No. 2584 of 2014 was filed before the State Administrative Tribunal, Cuttack Bench, Cuttack. After its abolition, the same has been transferred to this Court which is renumbered as WPC (OAC) No. 2584 of 2014.
 3. None appears for the Petitioner at the time of call.
 4. The Petitioner has prayed for a direction to the Opposite Party No.2 to dispose of the departmental proceeding in O.O. No. 629 dated 29th April, 2008 within a stipulated time.
 5. The learned Administrative Tribunal vide order dated 30th September, 2014 has passed the following order:-

Xx xx xx xx xx xx xx xx

“The learned counsel for the applicant stated that charge sheet has been issued against the applicant alleging the following charges:

1. Lack of accountability for loss of 33532 nos. of seedlings which was raised by spending Govt. money and loss of Govt. money and loss of Govt.

revenue of Rs.9000/- (price fetched for the auctioned confiscated materials),

2. Suppression of facts.
3. Disobedience of order of higher authority,
4. Negligence in duty,
5. Non-submission of Tour Diary violating the Codal provision of Rule 423 (i)

The departmental proceeding was initiated against him in the year 2008. He requested that this case may be disposed of with a direction to complete the proceeding within a time bound.

The learned additional standing counsel brought to my notice that three departmental proceedings have been initiated against the applicant, as may be seen from the information under RTI Act dated 12.2.2013 as at Annexure-4. In two cases enquiry has been completed and in the 3rd case the written statement of defence has not been received from the delinquent officer. So far as 1st and 2nd departmental proceedings are concerned, after submission of enquiry report it may be placed before the disciplinary authority to supply copy of the enquiry report along with show cause notice. On receipt of reply from the delinquent officer, 2nd show cause notice will be issued to follow the assured that he will take the matter with the concerned authority and expedite the same.

In view of the above submission, the case is admitted. Notice be issued returnable within four weeks and rejoinder, if any, be filled within two weeks thereafter.”

6. Counter affidavit has come to be filed on behalf of Opposite Party No.3 Paragraph of 7 of the counter affidavit reads thus:

“That in reply to para 6.6 it is submitted that the applicant never approached to this office for supply of any relevant documents between the last 7 years i.e. the initiation of departmental proceedings till date. That, due to his non-cooperation the case is dragging for

years together and the department has no role in delay in finalizing the proceedings.”

7. The matter relates to 2014 by influx of time, the matter has been rendered infructuous.
8. Accordingly, the writ petition is dismissed.

(M.S. Raman)
Judge

Laxmikant

