

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAS) No. 16 of 2017

Subash Kumar Naik

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

15.12.2022

Order No

01. 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard Mr. D.K. Panda, learned counsel for the Petitioner and Mr. N.N. Satapathy, learned Standing Counsel appearing for the Opp. Parties.

3. Even though the present writ petition has been filed with a prayer to direct the Opp. Parties to regularize the period of suspension from 26.06.2014 to 11.03.2015, but it is fairly admitted by Mr. Panda, learned counsel for the Petitioner that the proceeding initiated on 10.05.2017 has not yet been finalized. In view of the same, the prayer as made in the writ petition cannot be allowed.

4. However, considering the submission made by the learned counsel for the Petitioner that the Petitioner is going to retire on 30.06.2023, this Court while disposing the writ petition directs the O.P. No. 1 to dispose of the proceeding so initiated vide Memorandum No. 545 dtd.10.05.2017 within a period of six (6) months from the date of receipt of this order preferably before

30.06.2023. However, it is observed that the Petitioner since has not filed his written statement of defence as yet, as undertaken by the learned counsel for the Petitioner, the written statement of defence will be filed within a period of two (2) weeks from today. It is further observed that if no such written statement will be filed within the aforesaid time, the same will not be accepted and the Disciplinary Authority will be free to proceed with the proceeding in accordance with law. It is also observed that during the aforesaid period of six (6) months, the Petitioner shall co-operate with the enquiry and will not seek any adjournment.

5. The writ petition is disposed of with the aforesaid observation and direction.

(Biraja Prasanna Satapathy)
Judge

Sneha

