

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC(OAC) No. 3735 of 2012

Raj Kumar Sahoo

....

Petitioner

Ms. Deepali Mohapatra, Advocate

-versus-

State of Odisha & others

....

Opp. Parties

Mr. Rajesh Tripathy, Addl. Standing
Counsel

**CORAM:
JUSTICE M.S. SAHOO**

**ORDER
09.03.2022**

Order No.

02.

This matter is taken up through hybrid mode.

When the matter was taken up on 23.02.2022 after consideration of the matter in some detail, the following order was passed:-

"The writ petition has been renumbered and registered before this Court on 30.11.2021 after being transferred, upon abolition of Orissa Administrative Tribunal, Cuttack.

संयुक्त न्यायो

On perusal of the available order-sheet of the learned Tribunal, it is found that the matter was never taken up after 05.04.2013.

Learned counsel for the petitioner submits that the petitioner is aggrieved by the order dated 15.09.2012 issued by opposite party no.1, wherein it is observed as follows:

"... .. It is observed that, as the Departmental Proceeding drawn up against Sri Raj Kumar Sahoo, Ex-Jailer, Khurda has been disposed of and the Officer has been exonerated, there is no need for expunging the remarks."

RJ

It is further submitted that the said observation makes no sense, inasmuch as, the authority has acknowledged the fact that the petitioner was exonerated from the imputation of misconduct as per

the Disciplinary Proceeding (D.P. No.7 of 2009).

It is further submitted that the order dated 19.10.2009 as at Annexure-4 issued by opposite party no.2 indicates that the adverse entry was only for the pendency of the D.P. as referred above.

Learned Standing Counsel appearing for the opposite parties fairly submits that the counter affidavit filed on behalf of the State does not clearly indicate what happened to the adverse entries in the C.C.R. after the disciplinary proceeding ended in exoneration of the petitioner.

Learned counsel for the petitioner submits that there was no reason to continue with the adverse remarks and she shall obtain up-to-date instruction from the petitioner as to whether the petitioner was impacted by any adverse entry, accordingly, seeks further accommodation.

List this matter on 09.03.2022.”

It is submitted by the learned counsel for the petitioner on instruction that the petitioner has got promotion during pendency of the original application to the post of Deputy Inspector General and retired as such, thereby, the grievance raised in the original application did not survive.

Accordingly, the writ petition is disposed of as not pressed.

(M.S. Sahoo)
Judge