

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No.2931 of 2013

Bijaya Swain

.....

Petitioner

Mr. S. Mallik, Advocate

Vs.

State of Orissa & Anr.

.....

Opposite Parties

State Counsel

CORAM:

DR. JUSTICE B.R. SARANGI

ORDER

07.12.2022

Order No.

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This matter is taken up through Hybrid mode.

2. Heard Mr. S. Mallik, learned counsel appearing for the petitioner and Mr. A.K. Mishra, learned Additional Government Advocate appearing for the State-opposite parties.

3. The petitioner has filed this writ petition seeking to quash the order dated 29.06.2013 under Annexure-3, by which the State Government has appointed the Director of Horticulture, Odisha as Inquiring Officer to inquire into the charges framed against the petitioner and the Asst. Director of Horticulture (I/C), Talcher as the Marshaling Officer for adducing evidences and presenting the case before the Inquiring Officer in support of the charges.

4. Mr. A.K. Mishra, learned Additional Government Advocate appearing for the State-opposite parties contended that by virtue of order dated 25.02.2014 under Annexure-A, the Disciplinary Authority considering the representation of the petitioner and the circular dated 15.03.1999 of the G.A. Department has appointed

Commissioner for Departmental Inquiries, Odisha as Inquiring Officer to inquire into the charges afresh as per the order dated 21.08.2012 and to submit his enquiry report and findings to the State Government at an early date.

5. In that view of the matter, the relief sought having been granted to the petitioner, the writ petition stands disposed of with a direction to the Inquiring Officer to conclude the proceeding as early as possible preferably within a period of six months from the date of communication/production of this order.

6. Issue urgent certified copy as per rules.

(DR. B.R. SARANGI)
JUDGE

Alok

