

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 30539 of 2022

Dhaneswar Manik

..... Petitioner

Mr.Jugajyoti Praharaj, Advocate

-versus-

Sudarshan Manik and another

.... Opp. Parties

Mr. Swayambhu Mishra,
Additional Standing Counsel

CORAM:

JUSTICE K.R. MOHAPATRA

ORDER

29.11.2022

Order No.

1. This matter is taken up through Hybrid mode.
2. Petitioner in this writ petition seeks to assail the order of his dismissal dated 19th October, 2022 as Secretary passed by the President of Podadiha Service Cooperative Society Ltd., Podadiha in the district of Khordha. Assailing the order of his dismissal, the Petitioner has already filed Service Dispute Case No.36 of 2022, which is pending before learned Cooperative Tribunal, Odisha, Bhubaneswar.
3. Mr. Praharaj, learned Counsel for the Petitioner submits that the matter before the Tribunal could not proceed as the Presiding Officer has been transferred in the meantime. Hence, he prays for taking up the matter on merit.
4. Mr. Mishra, learned ASC submits that since the matter is pending before learned Tribunal, which is competent to take a decision on the same, writ petition for the self-same cause is not maintainable. Hence, he prays for dismissal of the writ petition.

5. Upon hearing learned counsel for the parties, this Court is of the considered opinion that since the matter in issue is pending before learned Cooperative Tribunal the writ petition is not maintainable for the self-same cause.

6. Accordingly, the writ petition is disposed of with an observation that the Petitioner may pursue his remedy before the Tribunal after joining of the Presiding Officer.

Issue urgent certified copy of the order on proper application.

(K.R. Mohapatra)
Judge



s.s.satapathy