

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.30599 of 2022

Bansidhar Bariki

.... ***Petitioner***
Mr. G. Sethi, Advocate

-versus-

State of Odisha & Others

.... ***Opp. Parties***
Mr. T.K. Pattnaik, ASC

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

17.11.2022

Order No.

01. 1. This matter is taken up through Hybrid Arrangement (Virtual /Physical Mode).
2. Heard learned counsel for the Petitioner as well as learned counsel for the State-Opposite Parties.
3. The present writ petition has been filed by the Petitioner with the following prayers:

“It is therefore humbly prayed that this Hon’ble Court may graciously be pleased to admit the case, call for the records and after hearing both the parties pass the following reliefs;

- i) To quash the order dated 7.5.2022 and order dated 5.7.2022 under Annexure-6 & 7 respectively.
- ii) To quash the departmental proceeding initiated against petitioner under Annexure-2.
- iii) To direct the opposite parties to grant all financial and consequential benefits flowing from quashing of charges in departmental proceeding.

And pass such other order/orders as may be deemed fit and proper for the interest of justice.”

4. It is submitted by learned counsel for the Petitioner that although the Petitioner has filed an appeal before the Opposite Party No.3 on 20.07.2022 under Annexure-9, but the same is still pending before the said Opposite party and the said Opposite Party has not taken any decision as of now.

5. Learned counsel for the State submits that he has no objection, if a direction is given to the authority concerned to consider the appeal of the Petitioner in accordance with law within a stipulated period of time.

6. Considering the submissions made by the respective parties and without expressing any opinion on the merits of the case, this Court disposes of the writ petition at the stage of admission with a direction to the Opposite Party No.3 to consider the appeal of the Petitioner dated 20.07.2022 under Annexure-9 in accordance with law within a period of eight weeks from the date of production of certified copy of this order. It is needless to mention here that the representation of the Petitioner shall be considered and disposed of by passing a speaking and reasoned order. Any decision so taken on the said representation shall be communicated to the Petitioner within a period of two weeks thereafter.

7. Urgent certified copy of this order be granted on proper application.

(A.K. Mohapatra)
Judge