

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.C. (OAC) No.2289 of 2017

Pramod Kumar Mishra

....

Petitioners

Mr. Amit Kumar Nath, Advocate

-versus-

***The Collector, Subarnapur and
Others***

....

Opposite Parties

Mr. H.K. Panigrahi, ASC

CORAM:

JUSTICE M.S. RAMAN

ORDER

19.09.2022

Order No.

04.

1. This matter is taken up through virtual/physical mode.

2. The Original Application No.2289 of 2017 (C) was filed before the Odisha Administrative Tribunal, Cuttack Bench, Cuttack. After its abolition, the same has been transferred to this Court which is renumbered as WPC (OAC) No.2289 of 2017.

3. The petitioner has come up with a grievance that the departmental proceedings remained inconclusive, though the same was initiated in the year 2013.

4. A Memo dated 08.05.2018 has come to be filed by Government Advocate contents of which are extracted herein below:-

“ In the OA, the main prayer is

The Hon’ble Tribunal may graciously be pleased to direct the respondents to finalise the Departmental Proceeding No.8/2013 which is instituted against the applicant;

Quash the Departmental Proceeding initiated by the Tahasildar-cum-Enquiry Officer, Sonapur.’

In the meantime, the Departmental Proceeding has been concluded and final order has

been passed by the disciplinary authority. Copy of the final order passed in the Departmental Proceeding is submitted herewith.

In the above view of the matter, the O.A. has become infructuous and may be disposed of accordingly.”

5. Perusal of order dated 19.02.2018 passed by the Collector, Subarnapur, copy of which is enclosed to said memo reveals as follows:-

XXX

XXXX

XXXX

“Now, therefore, after careful consideration of the charges framed against Shri Pramod Kumar Mishra, ARI, Rampur, findings of the Inquiring Officer thereof and the written statement of defence submitted by Sri Mishra, Collector and Disciplinary Authority has been pleased to pass orders for inflicting the following punishment.

1. One increment is stopped without cumulative effect.”

6. At the time of hearing, Mr. Amit Kumar Nath, learned counsel for the petitioner submitted that the cause of action does not survive anymore.

7. In view of such submission, the writ petition stands disposed of.

(M.S. Raman)
Judge

Basudev