

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C)(OAC) No.1331 of 2019

Dillip Kumar Das

....

Petitioner

-versus-

State of Odisha & Ors.

....

Opposite Parties

CORAM:

JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

11.10.2022

Order No

- 01.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. D.P. Dhal, learned counsel for the Petitioner and learned counsel appearing for the State.
3. The Petitioner is aggrieved by the order dtd.23.04.2019 passed by the O.P. No. 4 under Annexure-4 in withholding the pension of the Petitioner because of his conviction and sentence in Vigilance Case bearing T.R. No. 18 of 2016/V.G.R. No.10 of 2016.
4. Learned counsel for the State submitted that the said order has been passed as the Petitioner was convicted by the Competent Court in the aforesaid Vigilance Case. It is also submitted that as against the said order of conviction and sentence, the Petitioner has approached this Court in Criminal Appeal No. 207/2019 and this Court while admitting the matter has not stayed the order of conviction and sentence.
5. In view of such admitted position, this Court finds no illegality or irregularity in the order dtd.23.04.2019 under Annexure-4.

Accordingly, this Court is not inclined to entertain the writ Petition and dismiss the same. However, it is observed that the said order dtd.23.04.2019 shall be subject to final outcome of the Criminal Appeal No. 207 of 2019.

6. The writ Petition is dismissed with the aforesaid observation.

(Biraja Prasanna Satapathy)
Judge

Sneha

