

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C). No.37462 of 2021

Santoshini Sahani @ Mohanty

....

Petitioner(s)

Mr.Gautam Mukherji,
Sr.Advocate, Assosted by
A.C.Panda, Advocate

-versus-

State of Odisha & Ors.

....

Opposite Party(s)

Mr.R.P.Mohapatra. AGA

**CORAM:
JUSTICE BISWANATH RATH**

**ORDER
10.02.2022**

Order No.

3.

1. Heard Mr.Mukherji, learned Senior Counsel being assisted by Mr.A.C.Panda, learned counsel for the petitioner and Mr.R.P.Mohapatra, learned Additional Government Advocate for the State.

2. This writ petition involves innocuous prayer simply seeking a direction to the opposite party nos. 4 and 5 to conclude the inquiry involved and to submit report on the pending allegation of the petitioner at least within a stipulated period of time. Taking this Court to the serious allegation involved, Mr. Mukherji, learned Sr. Counsel prayed this Court for its intervention and issuing appropriate direction. The writ petition appears to have been filed on 26.11.2021. In filing counter affidavit, opposite party nos.4 and 5, the authority

required to conduct the inquiry and submit report in paragraphs-4 and 11 contended as follows:

“4. That as regards the averments made in Para-1 of the writ petition, it is humbly submitted that the inquiry on the petition of Smt.Santoshini Sahani @ Mohanty is in progress with the ADM, Boudh. Since the Opp. Party No.4 & 5 is busy with other Administrative work and delay thereon is being caused due to Covid- 19 pandemic.

11. That as regards the averments made in Para-9 of the writ petition, it is humbly submitted that the enquiry into the petition is in progress and there is some delay on the enquiry due to operation of Covid-19 pandemic and the ADM, Boudh/Collector, Boudh are very busy with the Administrative work of the district as well as Covid-19 work. However, enquiry report in this issue shall be submitted to the Hon’ble Court very shortly.”

3. Mr.R.P.Mohapatra, learned Additional Government Advocate referring to the stand of opposite party nos.4 and 5 contended that there is some impediment on the competent authority in completing the inquiry involved. Reason as appears shown to be administrative work relating to Covid-19 pandemic and an oral submission is also made by Mr.Mohapatra, learned Additional Government Advocate that looking to Panchayat level election, the Officers involved also extremely busy. It is in this response of the opposite party nos.4 and 5, Mr.Mohapatra, learned Additional government Advocate for the State seeks grant of longer time for completing the inquiry proceeding and submitting the report as requested by the petitioner.

4. Considering the rival contentions of the parties, this Court finds once inquiry is initiated, the concerned authority is duty bound to close the inquiry to prevent the parties facing such inquiry or even the complainant raising such issue should not suffer for long. However, taking into consideration that the public authority remained busy in the Covid-19 pandemic and presently also remaining busy in election duty, this Court grants three months time for closing of the inquiry and also submission of the inquiry report at least within a

period of two weeks thereafter. Necessary information on outcome and action, if any, taken be furnished to the parties involved herein.

5. With this observation, the writ petition stands disposed of.

6. A free copy of this order be supplied to Mr.R.P.Mohapatra, learned Additional Government Advocate for necessary communication also.

(Biswanath Rath)
Judge

Sks

