

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) (OAC) No.409 of 2019

Rudrapal Behera

....

Petitioner

-versus-

State of Odisha & Others

....

Opposite Parties

**COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
27.09.2022**

Order No

- 1.** This matter is taken up through Hybrid Mode.
- 2.** Heard Mr.S.P. Rath, learned counsel appearing on behalf of Mr. S.D.Das, learned counsel for Petitioner and Mr. Y.S.P.Babu, learned Addl. Government Advocate for the State- Opposite Parties.
- 3.** The Petitioner is aggrieved by the order of dismissal passed by the Opposite Party No.4 on 08.11.2018 under Annexure-5 in dismissing the Petitioner from his service.
- 4.** It is submitted by Mr. Babu, learned Addl. Government Advocate for the State that the Petitioner being a convicted employee having been convicted in Balasore Vigilance P.S. Case No.50, dated 13.11.2013, the Petitioner has been rightly dismissed from his service.
- 5.** It is also submitted that challenging such order of conviction, the Petitioner has already approached this Court in Criminal Appeal No.528 of 2018.
- 6.** In view of the same and in view of the fact that the Petitioner has been dismissed from his service because of his conviction and sentence, this Court finds no illegality or irregularity in the order dated 08.11.2018.

7. Accordingly, while dismissing the Writ Petition as not entertainable, it is observed that the order dtd. 8.11.2018 shall be subject to the final outcome of the Criminal Appeal No.528 of 2018.

8. The Writ Petition is dismissed with the aforesaid observations and directions.

(Biraja Prasanna Satapathy)
Judge

Subrat

