

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.32060 of 2022

Rakesh Mishra

....

Petitioner

Mr. Baidhar Sahoo, Advocate

-versus-

***Registrar Co-operative Societies,
Odisha and others***

....

Opp. Parties

Mr. T.K. Pattanaik, A.S.C.

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

30.11.2022

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. Perused the record.
 3. The present writ petition has been filed by the petitioner with a prayer for a direction to the Opposite Party No.2 to provide an opportunity of hearing to the petitioner before taking any decision on letter No.1555 dated 15.11.2022 by the Opposite Party No.2 to the Opposite Party No.3 under Annexure-5 and further prays for a direction to the Opposite Party No.3 to take immediate action for disengagement against the petitioner, who is working as DEO of Bandhapada PACS as well as to lodge FIR against him.
 4. It is submitted by learned counsel for the petitioner that the petitioner is apprehending on the action of the Opposite Parties and the present writ petition has been filed by the petitioner, who is working as DEO of Bandhapada PACS.
 5. Learned counsel for the State, on the other hand, submits that

the writ petition is premature and no action has been taken against the petitioner by the Opposite Parties. Therefore, the writ petition should not be entertained.

6. On perusal of the writ petition, this Court has also found no action has been taken by the authorities against the petitioner. Therefore, the present writ petition is premature. However, it is clarified that while taking decision under Annexure-5 dated 15.11.2022, the authorities shall refer to the order dated 05.09.2013. It is needless to mention here that before taking any action by the authorities, they are bound to provide an opportunity of hearing to the petitioner.

7. With the aforesaid observation the writ application stands disposed of.

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

