

IN THE HIGH COURT OF ORISSA AT CUTTACK
WPC (OAC) NO.7 OF 2019

Abhiram Jena

....

Petitioner

-versus-

State of Odisha & Others

....

Opp. Parties

COROM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

10.10.2022

Order No

1. 1. This matter is taken up through Hybrid Mode.
2. Heard Mr.A.K. Biswal, learned counsel for the petitioner and Mr. Y.S.P. Babu, learned A.G.A.
3. The petitioner is aggrieved by the office order dated 29.9.2018 under Annexure-2 wherein it has been proposed to dismiss him from Government Service as per Rule 13 of the OCS (CCA) Rules, 1962. This Court after going through the materials available on record finds that the said notice was issued to the petitioner because of the order of conviction passed against him in Berhampur Vigilance P.S. Case No.16 of 2010. It is also found that challenging the order of conviction and sentence, the petitioner has already approached this Court in CRLA No.338 of 2018 before this Court and there is no interim order staying the operation of the order of conviction and sentence.
4. In view of the fact that the petitioner is a convicted employee, this Court finds no irregularity or illegality in the order dated 29.9.2018 under Annexure-2. Therefore, the prayer as made in the writ petition cannot be entertained

and the Writ Petition is dismissed accordingly. However, the order of dismissal passed by the opp. parties shall be subject to the result of CRLA 338 of 2018.

5. The Writ Petition is dismissed with the aforesaid observation and direction.

6. Interim order passed earlier stands vacated.

(Biraja Prasanna Satapathy)
Judge

sangita

