

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.33558 of 2022

Satyanarayan Naik

....

Petitioner

Ms. B.K. Pattanaik, Advocate

-versus-

State of Odisha and another

....

Opp. Parties

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

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

12.12.2022

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 to quash the memorandum of charges under Annexure-1 and further prayed to direct the Opposite Parties to grant all financial and consequential benefits awaiting memorandum of charges in departmental proceeding initiated against the petitioner.
4. It is submitted by learned counsel for the petitioner that in the charges under Annexure-1, which shows that the accused persons fled away from the Police Station and the disciplinary proceeding initiated against the petitioner. It is further contended by learned counsel for the petitioner that in reply to the show cause, the petitioner has taken ground that at the date of occurrence, the petitioner was not on duty and the duty was taken on rotation basis and that Mr. S. Munda was on duty at the relevant point of time.

Therefore, he prays that the same should be quashed by this Court.

5. Learned counsel for the State, on the other hand, submits that since the proceeding is pending and the replies have been filed to that effect, a direction may be issued to the competent authority to conclude the same in accordance with law within a stipulated period of time.

6. Considering the aforesaid submissions made, the limited nature of grievance involved in the present writ petition, keeping in view the case of the petitioner, this Court thinks it proper to dispose of the writ petition at the stage of admission with a direction Superintendent of Police, Samblapur-Opposite Party No.2 to conclude the proceeding in accordance with law within a period of two months from the date of production of certified copy of this order by taking into consideration the grounds raised by the petitioner in his reply within a stipulated period. Decision so taken on the said same shall be communicated to the petitioner within a period of two weeks thereafter.

7. With the aforesaid observation/direction, the writ petition is disposed of.

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

(A.K. Mohapatra)
Judge