

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.41429 of 2021

Rina Dash

....

Petitioner

Mr.Nepoleon Sahani, *Advocate.*

-versus-

State of Odisha and others

....

Opp. Parties

*Mr.Sangram Jena, Standing
Counsel, S & ME*

CORAM:

JUSTICE A.K. MOHAPATRA

ORDER

10.01.2022

Order No.

01. This matter is taken up through Video Conferencing mode.
2. The present writ application has been filed by the Petitioner challenging the order of suspension dated 11th October, 2021 under Annexure-4 series.
2. A perusal of the suspension order reveals that pending drawal of charges against the Petitioner, she has been placed under suspension on the ground that she has been involved in a criminal case bearing Bhubaneswar Mahila P.S.Case No.80 dated 18th November, 2020. It is further submitted by the learned counsel for the petitioner that the Petitioner has been enlarged on bail by this Court in ABLAPL No.15478 of 2020. The case which has been filed against the Petitioner is pending for investigation. Therefore, the learned counsel for the Petitioner submits that there is no valid ground as of now to place her under suspension as neither she has been convicted nor charge sheeted in the said criminal case nor she

has been taken to custody in connection with the aforesaid criminal case.

3. Mr.Jena, learned Standing Counsel for School & Mass Education Department submits that let the Petitioner file a fresh representation before the Block Education Officer, Chilika, Opposite Party No.4, who shall consider the representation of the Petitioner in accordance with law.

4. Having heard learned counsel for the parties, without entering into the merits of the matter, this Court directs the Petitioner to file a fresh representation within a period of two weeks from today along with an authenticated copy of this order before Opposite Party No.4. In the event such a representation is filed, the Opposite Party No.4 shall consider the representation of the Petitioner and dispose of the same by passing a speaking and reasoned order. The decision so taken shall be communicated to the Petitioner within 10 days thereafter.

5. With the aforesaid observation the preset writ application stands disposed of.

6. As the restrictions due to resurgence of COVID-19 situation are continuing, learned counsel for the parties may utilize a print out of the order available in the High Court's website, at par with certified copy, subject to attestation by the concerned Advocate, in the manner prescribed vide Court's Notice No.4587, dated 25th March, 2020 as modified by Court's Notice No.4798, dated 15th April, 2021 and Office Order dated 7th January, 2022.

(A.K. Mohapatra)
Judge

