



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.1205 of 2025

Tikelal Kumbhar

....

Petitioner

Mr. A.K. Das, Adv.

-versus-

State of Odisha & Others

....

Opposite Parties

Mr. P.K. Panda, ASC

COROM:

THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

27.02.2026

Order
No

4. 1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel appearing for the parties.
3. Learned counsel appearing for the Petitioner contended that on self-same issue, Petitioner was not only implicated in a Vigilance Case in Sambalpur Vigilance P.S. Case No.83 dt.06.09.2015 corresponding to CTR Case No.23/89 of 2017/2024 in the file of learned Special Judge, Vigilance, Bargarh, but also a Departmental Proceeding was initiated against him vide memorandum dt.27.09.2016 under Annexure-2.
4. It is contended that in the said Vigilance Proceeding, Petitioner though has been acquitted vide judgment dt.12.03.2025 under Anenxure-6, but the Departmental Proceeding has been kept pending and thereby causing prejudice to the Petitioner in getting



his retiral benefits, even though he has retired since 30.06.2021.

4.1. Basing on the affidavit so filed, pursuant to order dt.30.01.2026, learned counsel appearing for the Petitioner contended that in the Departmental Proceeding, though inquiry report has already been submitted vide letter dt.14.07.2025 under Annexure-11 and the Inquiry Officer has given a suggestion not to impose any penalty, but the Departmental authority-Opp. Party No.1 is not disposing the proceeding by following due procedure of law. It is accordingly contended that Opp. party No.1 be directed to dispose of the Departmental Proceeding in accordance with law within a stipulated time period, taking into account the fact that the Petitioner is not getting his retiral benefits, even though retired since 30.06.2021 and he has been acquitted in the Vigilance Proceeding and no appeal has been filed against such order of acquittal.

5. Learned Addl. Standing Counsel on the other hand contended that since in the Departmental proceeding, inquiry report has already been submitted on 14.07.2025, this Court can pass appropriate order for early disposal of the proceeding in question.

6. Having heard learned counsel appearing for the parties and considering the submission made, it is found that Petitioner on self-same charges was



implicated in a Vigilance Proceeding and so also in a Departmental Proceeding vide Memorandum dt.27.09.2016. However, in the said Vigilance Proceeding, Petitioner has already been acquitted vide judgment dt.12.03.2025 under Annexure-6.

6.1. It is also found that in the Departmental Proceeding, inquiry report has since been submitted on 14.07.2025 under Annexure-11.

6.2. In view of the aforesaid analysis, this Court while disposing the Writ Petition, directs Opp. Party No.1 to dispose of the proceeding so initiated vide memorandum dt.27.09.2016 under Annexure-2, as expeditiously as possible and by following due procedure of law, taking into account the fact that Petitioner has already retired since 30.06.2021, within a period of three (3) months from the date of receipt of this order. Petitioner is permitted to provide a copy of this order before Opp. Party No.1 for compliance.

However, while disposing the proceeding, relevancy and effect of the order of acquittal of the Vigilance Proceeding be looked into.

7. The Writ Petition accordingly stands disposed of.

(Biraja Prasanna Satapathy)
Judge

sangita