

IN THE HIGH COURT OF ORISSA AT CUTTACK

FAO No. 385 of 2017 & Batch

FAO No.385 of 2017

Sanghamitra Nayak

.... ***Appellants***

Mr. K.K. Swain, Advocate

-versus-

State of Odisha and others

.... ***Respondents***

Mr. J. Katikia, A.G.A. for the State

FAO No.391 of 2017

State of Odisha and another

.... ***Appellants***

Mr. J. Katikia, AGA

-versus-

Prabir Kumar Biswal and another

.... ***Respondents***

M/s. B.S. Tripathy, Advocate & Associates

FAO No.401 of 2017

State of Odisha and another

.... ***Appellants***

Mr. J. Katikia, AGA

-versus-

Dhula Chandra Bariki and another

.... ***Respondents***

M/s. D.K. Mohapatra, Advocate & Associates

FAO No.435 of 2017

State of Odisha and another

.... ***Appellants***

Mr. J. Katikia, AGA

-versus-

***Biranchi Narayan Mohapatra and
another***

.... ***Respondents***

M/s. S. Samal, Advocate & Associates

FAO No.452 of 2017

State of Odisha and another

.... ***Appellants***

Mr. J. Katikia, AGA

-versus-

Bijaya Kumar Sahoo and another

.... ***Respondents***

M/s. S. Samal, Advocate & Associates

FAO No.461 of 2017

State of Odisha and another

.... ***Appellants***

Mr. J. Katikia, AGA

-versus-

Sri Lalit Mohan Nayak and another

.... ***Respondents***

M/s. R.N. Mishra, Advocate & Associates

FAO No.463 of 2017

State of Odisha and another

.... ***Appellants***

Mr. J. Katikia, AGA

-versus-

Purusottam Behera and another

.... ***Respondents***

M/s. P. Chuli, Advocate & Associates

FAO No.490 of 2017

State of Odisha and another

.... ***Appellants***

Mr. J. Katikia, AGA

-versus-

Smita Das and another

.... ***Respondents***

M/s. D. Samal, Advocate & Associates

FAO No.313 of 2018

State of Odisha and another

.... ***Appellants***

Mr. J. Katikia, AGA

-versus-

Shri Balaram Sahoo and another

.... ***Respondents***

M/s. S. Samal, Advocate & Associates

Signature Not Verified

Digitally Signed
Signed by: SUBASH KUMAR GUIN
Designation: Personal Assistant
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 23-Jun-2023 16:59:45

FAO No.315 of 2018

State of Odisha and another

.... ***Appellants***

Mr. J. Katikia, AGA

-versus-

Sri Manas Purohit and another

.... ***Respondents***

M/s. Sangram Jena, Advocate & Associates

FAO No.379 of 2018

State of Odisha and another

.... ***Appellants***

Mr. R.K. Tripathy, A.S.C.

-versus-

Sri Prasanta Kumar Samal and another

.... ***Respondents***

M/s. M.K. Sahoo, Advocate & Associates

FAO No.909 of 2018

Kanakalata Behera and another

.... ***Appellants***

Mr. Sangram Jena, Advocate

-versus-

State of Odisha and others

.... ***Respondents***

Mr. R.K. Tripathy, A.S.C.

FAO No.913 of 2018

Santosh Kumar Das

.... ***Appellant***

Mr. D.N. Rath, Advocate

-versus-

State of Odisha and others

.... ***Respondents***

Mr. R.K. Tripathy, A.S.C.

**CORAM:
THE CHIEF JUSTICE**

**ORDER
22.06.2023**

Order No.

Signature Not Verified

Digitally Signed
Signed by: SUBASH KUMAR GUIN
Designation: Personal Assistant
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 23-Jun-2023 16:59:45

I.A. Nos.1305, 1314, 1270, 1521, 1202, 1494, 1218, 1664, 1215, 1272, 1379 & 1408 of 2019 and 687 of 2022

10. 1. In view of the judgment dated 25th February, 2021 in ***State of Odisha v. Bichitrananda Mohapatra 2021 (I) OLR- 664*** the orders in question passed in the respective FAOs are hereby recalled and the corresponding FAOs are restored to file. The I.As. are accordingly disposed of.

FAO Nos.385, 391, 401, 435, 452, 461, 463, 490 of 2017 and 313, 315, 379, 909 and 913 of 2018

2. Issue Notice. Respective learned counsels accept notice for Respondent No.1 in all the FAOs. Notice will now be issued to the remaining Respondents including the respective Governing Bodies through Registered/Speed Post with A.D., making it returnable before the next date. Requisites for which shall be filed within three working days.

3. Copies of the aforementioned FAOs be served on learned counsel for the respective Respondent No.1 within three days. It is pointed out by learned counsel for the State that all these appeals required to be allowed in view of the judgments of the Supreme Court of India in ***State of Odisha v. Anup Kumar Senapati (2019) 19 SCC 626***, judgment dated 29th October, 2021 of the Division Bench of this Court in W.A. No.401 of 2021 (***Secretary, Government of Odisha v. Jashobanta Baral***) and the judgment of the learned Single Judge dated 7th February, 2023 in FAO No.659 of 2014 (***State of Odisha v. Minaketan Behera***).

4. Learned counsel for the respective parties shall examine the above judgments and make submissions on the next date.

5. List along with FAO No.491 of 2019 on 17th July, 2023.

(Dr. S. Muralidhar)
Chief Justice

S.K. Guin

