



IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No. 7265 of 2022

Purna Chandra Mahanandia

Petitioner

Mr. P.K. Mahapatra, Advocate

-versus-

State of Odisha & Anr.

Opposite Parties

Mr. P.K. Panda, ASC

CORAM:

THE HON'BLE MR. JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

24.03.2026

Order No. 09

1. This matter is taken up through hybrid mode.
2. Heard Mr. P.K. Mahapatra, learned counsel appearing for the Petitioner and Mr. P.K. Panda, learned Addl. Standing Counsel appearing for the Opp. Parties. Date chart filed in Court be kept in record.
3. While assailing the impugned order of punishment so passed against the Petitioner vide order dtd.07.02.2022 under Annexure-11, learned counsel appearing for the Petitioner contended that in the proceeding so initiated vide Memorandum dtd.02.04.2008 when Petitioner along with two (2) other delinquent employees were imposed with the punishment of dismissal, the said order was challenged by all the 3 delinquent employees before the Tribunal and Petitioner was also before the Tribunal in O.A. No. 1436 of 2011.
 - 3.1. It is contended that the Tribunal vide order dtd.09.11.2012 under Annexure-6 while quashing the order of dismissal though directed for causing *de novo* enquiry by framing 4 issues, but in the *de novo*



enquiry, the issues raised by the Tribunal was never taken into consideration. The Enquiry Officer in absence of any proof to the charges with due examination of the witnesses and due production of the documents as exhibits, held the delinquent officers guilty vide his enquiry report dtd.22.09.2017 under Annexure-7.

3.2. Basing on such enquiry report, after following the provisions contained under Rule 15, Petitioner along with another delinquent employee namely Sri Ramesh Chandra Majhi were dismissed from Govt. service.

3.3. It is further contended that after remand of the matter by the Tribunal, since the proceeding was not disposed of within the stipulated time period, on the application made by another delinquent employee namely Binay Kumar Samantaray, the Tribunal when quashed the proceeding so initiated against the delinquent employee vide memorandum dt.02.04.2008, the same was assailed by the State by filing W.P.(C) No. 23661 of 2017.

3.4. It is contended that this Court vide order td.31.07.2018 under Annexure-12, did not interfere with the order passed by the Tribunal and dismissed the writ petition. After such dismissal of the writ petition, Petitioner therein namely Binay Kumar Samantaray has been extended with all retiral benefits. Not only that the said delinquent employee was also given the benefit of promotion to the next higher rank.

4. Considering the submission and the nature of order passed by the Tribunal in its order under Annexure-6 and the punishment imposed under Annexure-11, this Court directs learned Addl. Standing



Counsel to obtain instruction as to whether any writ petition has been filed by the above said Sri Ramesh Chandra Majhi before this Court.

5. On the request made by Mr. P.K. Panda, learned Addl. Standing Counsel, list this matter on 9th April, 2026.

(BIRAJA PRASANNA SATAPATHY)
Judge

Sneha