



IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.8039 of 2025

Alma Barua

.....

Petitioner

Represented By Adv. -
Anjan Kumar Biswal

-versus-

State Of Odisha & Ors.

.....

Opposite Parties

Represented By Adv. –
B.K. Sahu, A.G.A.

CORAM:
THE HON'BLE MR. JUSTICE ADITYA KUMAR
MOHAPATRA

ORDER
24.03.2025

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-Opposite Parties.
3. It is stated by learned counsel for the Petitioner that the Petitioner, who was already retired from service w.e.f. 31.10.2022 on attaining the age of superannuation, has approached this Court by filing the present writ application thereby challenging the decision of the Opposite Parties to initiate a proceeding against him by serving a memo of charges after his retirement. He further contended that in terms of the Rule-7, the proceeding is not maintainable as the allegation which construed the background/ backbone of the memorandum of charges had occurred 4 years prior to retirement of the Petitioner from service.
4. Taking into consideration the aforesaid submission, this Court



is of the view that the matter requires further hearing in the presence of the Opposite Parties. Accordingly, issue notice on the question of admission to the Opposite Parties.

5. Ms. Sahu, learned Additional Govt. Advocate for State-Opposite Parties accepts notice on behalf of all the Opposite Parties. Since the soft copy of the writ petition has already been uploaded in the LMS website, no hard copy is required to be served on the learned Additional Govt. Advocate appearing for the Opposite Parties. Soft copy which has been uploaded in the LMS website be utilized.

6. Counter affidavit, if any, be filed within six weeks hence after serving a copy thereof in advance on learned counsel for the Petitioner.

7. Rejoinder affidavit, if any, be filed two weeks thereafter.

8. List this matter in the week commencing 23.06.2025.

I.A. No.4449 of 2025

9. Heard.

10. Notice as above.

11. As an interim measure, it is directed that although the Disciplinary Proceeding shall continue, however, no final decision shall be taken without the leave of this Court.

(A.K. Mohapatra)
Judge

Anil Signature Not Verified

Digitally Signed
Signed by: ANIL KUMAR
SAHOO
Reason: Authentication
Location: High Court of Orissa
Date: 25-Mar-2025 15:24:43