



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.15304 of 2017

Prasanna Kumar Pati* *Petitioner

Mr. D.P.Nanda, Sr. Advocate

-versus-

***The Chief Executive Officer,
TPCODL, Bhubaneswar & Opp. Parties
others***

Mr.B.D.Dash, Advocate

**CORAM:
JUSTICE V. Narasingh**

**ORDER
11.03.2025**

Order No.

- 23.
1. Mr. D.P. Nanda, learned Senior Counsel appearing for the petitioner has placed on record the representation of the petitioner dated 15.09.2015 along with a memo whereby he has objected the appointment of the appellate authority, inter alia, on the ground that he was the disciplinary authority. A copy thereof has already been served on the learned counsel for the Opposite Parties.
 2. In addition to the judgment cited, learned



Senior Counsel for the petitioner has relied on the judgment of the Hon'ble apex Court in ***Election Commission of India & another -Vrs.- Dr. Subramaniam Swamy & another*** : (1996) 4 SCC 104 to fortify his submission that in the factual matrix of the case at hand, the doctrine of necessity has no application.

3. Mr. Dash, learned counsel for the Opposite Parties has made a submission with reference to the counter affidavit as well as written note.

4. Argument has been concluded. Judgment is reserved.

**(V. Narasingh)
Judge**

Manoj