



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.12674 of 2026

Dr. Kali Prasad Behera

....

Petitioner

Mr. S.R. Lenka, Adv.

-versus-

State of Odisha & Others

....

Opp. Parties

Mr. A. Tripathy, AGA

COROM:

THE HON'BLE MR.JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

04.05.2026

Order No

1. 1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel appearing for the parties.
3. Even though the present Writ Petition has been filed inter alia challenging initiation of the Proceeding dt.28.01.2026 under Annexure-3, but in course of hearing, learned counsel appearing for the Petitioner contended that after receipt of the Memorandum and Petitioner being a chronic patient suffering from Spinal disorder, though made an application through his Advocate to supply him with the documents, so that he can file his written statement of defence under Annexure-4 series, but the documents were never provided.
- 3.1. Petitioner on compelling circumstances though has filed the reply to the charges on 09.03.2026 under



Annexure-6, but due to non-supply of the documents, so prayed for, Peitotner was prejudiced in submitting his reply. It is accordingly contended tht Opp party No.1 be diected to provide him with the documents so that he can file a fresh reply by taking all such stands as is available to him.

4. Learned Addl. Govt. Advocate on the other hand contended that since on the face of application made under Annexure-4 series, Petitioner has already filed his reply under Annexure-6, no permission be accorded for filing a fresh reply and Petitioner be directed to participate in the proceeding.

5. Having heard learned counsel appearing for the parites and considering the submission made, this Court finds that after initiaitoin of the proceeding vide memorandum dt.28.01.2026 and taking into account the fact that Peitotner is suffering from Spinal disorder, even though an application was made by his Advocate with a prayer to provide him the documents so indicated in letter dt.18.02.2026 under Annexure-4 series, but the same were never provided to him. Petitioner taking into account the time stipulated in the Memoradum, filed his reply on 09.03.2026 under Anexure-6.

5.1. Since the documents as prayed for under Annexure-4 series have not yet been provided, this Court while disposing the Writ Petition directs Opp.



Party No.1 to supply the documents as prayed for by his Advocate on 18.02.2026 under Annexure-4 series within a period of 15 days hence. On such supply of the documents within the aforesaid time period, Peitotner will be permitted to file a fresh reply within a period of 4(four) weeks thereof. On receipt of the fresh reply, the Disciplinary authority is to proceed with the proceeding in accordance with law, in which this Court expresses no opinion.

5.2. However, after being provided with the documents, if Petitioner fails to file his reply within the time stipulated, the Disciplinary Authority will be free to proceed with the Proceeding in accordance with law.

6. The Writ Petition accordingly stands disposed of.

(Biraja Prasanna Satapathy)
Judge

sangita

Signature Not Verified

Digitally Signed
Signed by: SANGITA PATRA
Reason: authenticatoiin of order
Location: high court of orissa, cuttack
Date: 05-May-2026 18:16:15

