



IN THE HIGH COURT OF ORISSA AT CUTTACK
WP(C) No.20317 of 2025

Subrat Bawali

.....

Petitioner

Represented By Adv. -
Amiya Kumar Chhatoi

-versus-

1) State Of Odisha

.....

Opposite Parties

2) Principal Chief Conservator Of
Forest
3) Regional Chief Conservator Of
Forests(rccf) , Koraput Circle
4) Divisional Forest Officer,
Nabarangpur Forest Div

Represented By Adv. –
Mr.J.K.Bal, AGA

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

ORDER
24.07.2025

Order No.

01. 1. This matter is taken up through Hybrid mode.
2. Heard learned counsel for the Petitioner as well as the
 learned Additional Government Advocate. Perused the writ
 application as well as the documents annexed thereto.
3. By filing the present Writ Petition, the Petitioner has
 prayed for the following relief:

*“ In view of the facts stated above the
Petitioner prays that this Hon’ble Court may
graciously be pleased to issue a writ in the
nature of writ of Certiorari quashing the
departmental proceeding initiated against the
Petitioner dated 22.02.2023 at Annexure-1,
enquiry report dated 28.06.2023 under
Annexure-5 and order of punishment dated
30.06.2023 under Annexure-7 by declaring the*



same illegal, arbitrary and unconstitutional.

And the Hon'ble Court may be further pleased to direct the Opp.Parties to extend all consequential service and financial benefits in favour of the Petitioner including the refund of recovered penalty amount within a period stipulated by this Hon'ble Court.

And further be pleased to issue pass any other order/orders as the Hon'ble Court deems fit and proper."

4. Learned counsel for the Petitioner at the outset contended that being aggrieved by the recovery that has been made pursuant to the order in departmental proceeding, the Petitioner has approached this Court by filing the present Writ Petition. He further contended that a proceeding which was initiated invoking Rule 15 of the OCS(CC&A) Rules, 1962 has been finalised without following the procedure laid down in Rule 17 of the aforesaid Rules. In such view of the matter, learned counsel for the Petitioner contended that the entire proceeding has been vitiated. Learned counsel for the Petitioner submitted that since a final order has been passed in the Disciplinary proceeding, the same is appealable one.

5. Learned Additional Government Advocate on the other hand raised the question of maintainability of the Writ Petition.

6. Having regard to the submissions made by the learned counsels for the respective parties, on a careful analysis of the legal position, this Court is of the view that the impugned order is an appealable one and in such view



of the matter, the Writ Petition is disposed of by granting liberty to the Petitioner to approach the Appellate Authority by filing a properly constituted appeal along with an application for condonation of delay. If such an application for delay is filed, the same shall be considered liberally and condone the same. Further, the appeal filed by the Petitioner shall be considered on its own merit in accordance with law and dispose of the same as expeditiously as possible. It is further directed that till filing of the appeal or for a period of two weeks, no coercive steps shall be taken against the Petitioner.

7. With the aforesaid observations/directions, the writ application stands disposed of.

Issue urgent certified copy of this order as per Rules.

(Aditya Kumar Mohapatra)
Judge

RKS