



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) NO.23309 OF 2025

Rashmita Kumari Dash ***Petitioner***
Mr. D.R. Mohapatra, Advocate

-versus-

State of Odisha & Others ***Opp. Parties***
Mr. J.K. Ray, ASC

CORAM:
HON'BLE MR. JUSTICE DIXIT KRISHNA SHRIPAD

ORDER
21.08.2025

Order No.
01.

Petitioner, a delinquent employee, is knocking at the doors of Writ Court with the following prayer:

“It is, therefore, most humbly prayed that this Hon’ble Court may be graciously pleased to admit this writ petition, rule NISI calling upon the Opp. Parties to show cause as to why the memorandum of charges dated.18/07/2025 and the disciplinary proceeding under Annexure - 7 shall not be quashed.

If the Opp. Parties fail to show cause or show insufficient cause, further be pleased to make the rule absolute thereby issuing appropriate writ/writs by quashing the memorandum of charges dated.18/07/2025 and the disciplinary proceeding under Annexure - 7.

And may further be pleased to pass such other order/ orders as may be deemed fit and proper for granting complete and effective justice to the petitioner.”

2. Learned ASC-Mr. Ray appearing for OPs opposes the petition contending that admittedly petitioner does not belong to Scheduled Castes, and that law has long been settled in this country that caste is by birth vide ***Indra Sawhney v. Union of India***, AIR



1993 SC 477 and therefore, there is absolutely no reason to grant indulgence in the matter. I agree with this view.

3. In any circumstance, the inquiry proceeding is going on, which involves alleged fraud in obtaining social status certificate and Petitioner has already filed her explanation to the so cause notice and therefore, she should participate in the subject inquiry, which shall be culminated into some order with full participation of all the stakeholders.

In the above observations, writ petition is disposed off. The subject inquiry to be completed within a period of six months. All contentions of the parties are kept open.

Now, no costs.

Web copy of this order to be acted upon by all concerned.

(Dixit Krishna Shripad)
Judge

Madhusmita

Signature Not Verified

Digitally Signed
Signed by: MADHUSMITA MALLICK
Reason: Authentication
Location: HIGH COURT OF ORISSA, CUTTACK
Date: 22-Aug-2025 09:58:48

