

IN THE HIGH COURT OF ORISSA AT CUTTACK

WPC (OAC) No. 1493 of 2018

Amar Kumar Behera

....

Petitioner

Mr. D. Mishra, Advocate

- Versus -

State of Odisha

....

Opposite Party

Mr. A. Pradhan, Addl. Standing Counsel

CORAM:

JUSTICE SASHIKANTA MISHRA

ORDER

09.03.2022

I.A. No. 161 of 2022

Order No.

13.

1. This matter is taken up through hybrid mode.
2. Pursuant to order dated 04.03.2022, an affidavit has been filed.

The said affidavit is described as follows:

“AFFIDAVIT FILED BY ADDITIONAL CHIEF SECRETARY, FOREST, ENVIRONMENT & CLIMATE CHANGE DEPARTMENT (OPP.PARTY NO.1) IN PURSUANCE TO ORDER DATED 04.03.2022 PASSED IN I.A. No. 162/2022.”

But on reading thereof, it reveals that the same, in fact, has not been sworn by the Additional Chief Secretary but by one Usharani Das, Additional Secretary in the Forest, Environment and Climate Change Department, Odisha. By order dated 04.03.2022, this Court had directed the Principal Secretary of the department to file the affidavit and since it is submitted at the Bar that the present incumbent is the Additional Chief Secretary, she should have filed the affidavit instead of delegating it to another officer. Be that as it may, the affidavit has been filed stating that after receipt of order dated 25.02.2022 passed in I.A. No. 150 of 2021, the opposite parties have taken immediate steps for acceptance of joining report of the petitioner and accordingly the Deputy Conservator of Forest, NFTS, Champua, who is the competent authority to accept the

joining report of the petitioner, was instructed to accept the joining report immediately. Accordingly, the joining report submitted by the petitioner has been accepted by the Deputy Conservator of Forest NFTS, Champua vide Memo No. 122 dated 07.03.2022. Copy of the said memo has been enclosed to the affidavit along with the joining report submitted by the petitioner.

3. Considering the fact that the order of this Court has been complied with, no further order needs to be passed in the I.A.
4. I.A. stands disposed of.
5. The affidavit be kept on record.

(Sashikanta Mishra)
Judge

I.A. No.151 of 2021

Order No.
14.

1. Learned counsel for the petitioner seeks permission to not-press this application with liberty to file a better application.
2. Permission is granted with liberty aforesaid.
3. I.A. stands disposed of.

(Sashikanta Mishra)
Judge

WPC (OAC) No. 1493 of 2018

Order No.
15.

1. Learned counsel for the petitioner wants to file rejoinder affidavit to the counter filed by the State.
2. Two weeks time is allowed for the said purpose.
3. List this matter in the week commencing 11th April, 2022.

(Sashikanta Mishra)
Judge