



IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.29421 of 2023

Fakir Karna

....

Petitioner

*Mr. M. Pratap @ Pratap
Kumar Mohapatra, Adv.*

-versus-

State of Odisha & Others

....

Opposite Party

*Mr. P. Behera, ASC
Mr. S. Das, Standing
Counsel
(for the Vigilance Deptt.)*

COROM:

THE HON'BLE MR.JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

21.01.2026

Order No

- 16.** 1. This matter is taken up through Hybrid Mode.
2. Heard learned counsel appearing for the parties.
3. Pursuant to order dt.03.12.2025, Mr. S. Das, learned Standing Counsel for the Vigilance Deptt. produced the instruction so issued by the Superintendent of Police, Sambalpur Vigilance vide his letter dt.09.12.2025. The same be kept on record.
4. Basing on the instruction, Mr. S. Das, learned counsel appearing for the Vigilance Deptt. contended that Sambalpur Vigilance P.S Case No.11 dt.06.06.2020 has been initiated against the Petitioner and in the said proceeding, charge-sheet was filed on 31.12.2021 and cognizance was taken on 04.02.2023. Trial of the case is now posted to 15.12.2025 for framing of charge. It is also contended that another



Vigilance case was initiated against the Petitioner in Sambalpur Vigilance P.S. Case No.20 dt.17.07.2020. But the said Vigilance Proceeding was closed due to insufficient evidence with submission of the final form on 28.12.2022 so accepted by the learned Special Judge, Vigilance, Sambalpur vide his order dt.23.07.2024.

5. Basing on the instruction provided by the learned Standing Counsel, Vigilance Deptt. and relying on the order available under Annexure-4, learned counsel appearing for the Petitioner contended that since as on the date of retirement, there was no Vigilance Proceeding pending and only a Departmental Proceeding was pending against him vide Memorandum dt.03.11.2017, which was dropped vide order dt.15.11.2021, there was no bar on the part of the Opp. Parties to release the pension and other pensionary benefits of the Petitioner.

6. Learned Standing Counsel however contended that even though both the Vigilance Proceedings have been initiated after the retirement of the Petitioner, but another Criminal Proceeding is pending against the Petitioner in Sundargarh Town P.S. Case No.28 dt.12.12.2016. Learned Counsel appearing for the Petitioner is directed to obtain instruction on the same.



7. However, on the request made by the learned counsel appearing for the Petitioner, list this matter on 05.02.2026.

(Biraja Prasanna Satapathy)
Judge

sangita

Signature Not Verified

Digitally Signed
Signed by: SANGITA PATRA
Reason: authentication of order
Location: high court of orissa, cuttack
Date: 03-Feb-2026 16:31:31

