



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P. (C) No.29040 of 2024

Dolanti Nag

....

Petitioners

Mr. A.K.Das Advocate

-Versus-

State of Odisha & others

....

Opposite Parties

Mr. B.Nayak, AGA

Ms. Deepali Mohapatra, Advocate for Intervener

CORAM:

MR. JUSTICE R.K. PATTANAİK

ORDER

26.11.2024

Order No.

- 01.
1. Heard learned counsel for the petitioner and State besides Ms. Mohapatra, learned counsel for the intervener appearing in I.A. No.15857 of 2024.
 2. Instant writ petition is filed by the petitioner challenging the impugned notice Annexure-4 issued by opposite party No.3 in respect of the no confidence motion scheduled to be held on 29th November, 2024 on the grounds stated.
 3. Learned counsel for the petitioner submits that the copies of the requisition as well as proposed resolution have not been served on the petitioner while issuing notice under Annexure-4, hence, therefore, the vote of confidence to be held on 29th November, 2024 stands vitiated.
 4. Ms. Mohapatra, learned counsel for the interveners submits that as per Annexure-4, not only the requisition but also the copy of



the resolution said to have been sent to the petitioner along with the impugned notice under Annexure-4, hence, therefore, the vote of confidence to be held on the date fixed should not be intervened and interfered with.

5. Mr. Nayak, learned AGA for the State submits that a copy of the proposed resolution to have been sent with the requisition and ultimately, it has led to the issuance of impugned notice under Annexure-4 by opposite party No.2, hence, therefore, there has been no wrong or error committed by the said authority.

6. Considering the facts pleaded on record and submissions of learned counsel for the respective parties, the Court is inclined to direct the State to file an affidavit for orders on the next date.

7. List on 5th December, 2024 for final orders, the date on which, State shall file an affidavit to show and satisfy that along with the requisition as well as a copy of the proposed resolution have been sent with the notice and served on the petitioner.

(R.K. Pattanaik)
Judge

I.A. No. 15605 of 2024

- 02.
1. Heard learned counsel for the respective parties.
 2. Instant petition is filed for interim orders.
 3. Learned counsel for the petitioner would submit that the vote of confidence as has been directed to be held on 29th November, 2024 should be deferred.



4. Considering the plea of the petitioner and response of the State as well as submission of Ms. Mohapatra, learned counsel for the intervener, though the Court is not inclined to defer the vote of confidence but directs that the motion shall be held on the date fixed, result of which, shall be subject to the outcome of the writ petition.

5. List on the date fixed for orders.

(R.K. Pattanaik)
Judge