



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.34263 of 2025

Dr. Sushree Sangeeta Kar* *Petitioner

Mr. B.S. Tripathy(1), Sr. Advocate
with Mr. A. Tripathy, Advocate

-versus-

***State of Odisha and
Others***

.... ***Opposite Parties***
Mr. A. Tripathy, AGA

**CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY**

**ORDER
16.12.2025**

Order No.

- 02.** 1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
- 2.** Heard learned counsel for the parties.
- 3.** The present Writ Petition has been filed *inter alia* challenging initiation of a Disciplinary Proceeding against the petitioner vide Memorandum No.6760/H dated 04.03.2025.
- 4.** Learned Senior Counsel for the petitioner contended that such a proceeding has been initiated on the ground that petitioner is not joining in her services and remaining on long leave.



4.1. It is contended that while claim of the petitioner to take Voluntary Retirement from Service was rejected, the same was challenged in W.P.(C) No.27272 of 2024.

4.2. This Court while issuing notice of the matter, passed an interim order to the effect that no coercive action be taken against the petitioner. However, on the face of such interim order passed by this Court on 18.11.2024, the impugned proceeding has been initiated vide Memorandum dated 04.03.2025 on the ground that the petitioner has remained on long leave which is hampering the work in MKCG Medical College and Hospital, Berhampur.

5. Learned Addl. Govt. Advocate on the other hand contended that since petitioner after her joining in MKCG Medical College and Hospital, Berhampur, is remaining on long leave, such a proceeding has been initiated against the petitioner.

5.1. It is also contended that prayer of the petitioner to resign and so also to take Voluntary Retirement from Service, has already been rejected by the Govt. Accordingly, petitioner has to join in her place of work. Since petitioner is not joining in her work, the proceeding has been initiated against her vide Memorandum dated 04.03.2025 under Annexure-8.

6. Having heard learned counsel for the parties, considering the submissions made and the fact that



rejection of the petitioner's claim to take Voluntary Retirement from service has been set-aside by this Court in its order passed today in W.P.(C) No.27272 of 2024 and the nature of interim order passed on dated 18.11.2024 in W.P.(C) No.27272 of 2024, it is the view of this Court that on the face of such order, no proceeding could have been initiated with the charges as framed in Memorandum dated 04.03.2025 under Annexure-8.

6.1. In view of the aforesaid analysis, this Court is inclined to quash the proceeding so initiated against the petitioner vide Memorandum dated 04.03.2025 under Annexure-8 and allow the writ petition.

7. The Writ Petition stands disposed of accordingly.

(Biraja Prasanna Satapathy)
Judge

Basudev

Signature Not Verified

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Signed by: BASUDEV SWAIN
Reason: Authentication
Location: High Court of Orissa, Cuttack
Date: 19-Dec-2025 14:35:49

