



IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.34705 of 2025

Dr. Baburam Pani

....

Petitioner

Mr. A.K. Mohapatra, Advocate
-Versus-

State of Odisha & Others

....

Opposite Parties

Mr. S.B. Mohanty, AGA

CORAM:

JUSTICE DIXIT KRISHNA SHRIPAD

ORDER

08.12.2025

Order No.
01.

W.P.(C) No.34705 of 2025 & I.A. No.21762 of 2025

Issue emergent notice. Learned AGA -Mr. Mohanty, on request of the Court, accepts notice for OP Nos.1 to 4. Required number of copies of the writ petition with all the documents be served on him within three working days.

Notice be sent to OP No.5 by speed post with A.D. returnable within two weeks, requisites for which shall be furnished within three working days.

An application in I.A. No.21762 of 2025 supported by affidavit pressed into service contending that OP No.5, who is holding the post in question on additional charge basis, is trying to take some coercive action against the Petitioner and therefore, it should be halted. The Karnataka High Court in *B.N. Dhotrad v. The Board of Directors/cum-Appellate Authority, Karnataka Land Army Corporation Ltd.*, (2006) ILR (Kar) 3163 has held that a person of the kind, who does not hold the post on substantive basis, cannot take any action.



In the above circumstances, OP No.5 is restrained from taking any coercive action against the Petitioner. It is open to him to seek variation of this order, if grounds do exist therefor, since it has been issued ex parte.

Accordingly, the I.A. stands disposed off.

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

(Dixit Krishna Shripad)
Judge

Madhusmita