

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION
CIVIL APPEAL NO.6905 OF 2011

Shanti Brata Panda .. Appellant(s)

Versus

State of Orissa & Ors. .. Respondent(s)

O R D E R

We have perused the Impugned Order which holds that the Appellant has no cause of action in his Writ Petition nor is there any infirmity in the Impugned Order dated 8th October, 2007. The learned Senior Counsel appearing for the Appellant contends that the services of the Respondent have been discontinued by the Order dated 8th October, 2007 and it was this Order which has been assailed by the Appellant. It is in these circumstances that we are unable to appreciate the conclusion in the Impugned Order to the effect that the Appellant has no cause of action in the Writ Petition; since his services were discontinued he has sufficient cause as well as *locus standi* to challenge the correctness of the Order. It is true that there is also a passing statement to the effect that no infirmity is found in the Impugned Order. This is merely a statement which is not predicated on any reasoning. In these circumstances the Impugned Order is

set aside and the matter is remanded back to the High Court for a fresh consideration. It will be assumed that the Appellant has *locus standi* as well as sufficient reasons to challenge the correctness of the Order dated 8th October, 2007. While remanding the matter back we are not expressing any opinion on the legality of the Order dated 8th October, 2007.

The Appeal stands disposed of accordingly.

Parties to bear their respective costs.

.....J.
[VIKRAMAJIT SEN]

.....J.
[ABHAY MANOHAR SAPRE]

NEW DELHI,
MAY 14, 2015.

ITEM NO.107

COURT NO.11

SECTION XIA

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G SCivil Appeal No.6905/2011

SHANTIBRATA PANDA

Appellant(s)

VERSUS

STATE OF ORISSA & ORS.

Respondent(s)

(with appln. (s) for vacating stay and office report)

Date : 14/05/2015 This appeal was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAMAJIT SEN

HON'BLE MR. JUSTICE ABHAY MANOHAR SAPRE

For Appellant(s) Mr. Rastnakar Dash, Sr.Adv.
Mr. Umakant Mishra, Adv.
Mr. Sibho Sankar Mishra, Adv.

For Respondent(s) Mr. Anukul Chandra Pradhan, Sr.Adv.
No.5. Mr. Rahul Baid, Adv.
Mr. Saurabh Mishra, Adv.

R Nos.1-3 Mr. Shibashish Misra, Adv.

R.No.4 Mr. Tejaswi Kumar Pradhan, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The Appeal is disposed of in terms of the signed order.

Parties to bear their respective costs.

(USHA BHARDWAJ)
AR-CUM-PS(SAROJ SAINI)
COURT MASTER

Signed order is placed on the file.