

(2023) 03 OHC CK 0198

In the Orissa High Court

Case No : Writ Petition (C) No. 9058 Of 2016

Abhaya Kumar Keshi

APPELLANT

Vs

State Of Odisha & Others

RESPONDENT

Date of Decision : 28-03-2023

Acts Referred:

Citation : (2023) 03 OHC CK 0198

Hon'ble Judges : S. K. Mishra, J

Bench : Single Bench

Advocate : S.K. Das, S.K. Pattnaik, B. Satapathy

Final Decision : Disposed Of

Judgement

S. K. Mishra, J

1. This matter is taken up through hybrid mode.
2. Mr. S.K. Das, learned Counsel for the Petitioner submits that he has received a copy of the counter dated 25.07.2022 filed by the State-O.P. Nos.1 to 3 which is not on record. Mr. S.K. Pattnaik, learned Additional Government Advocate submits that the same was filed online through e-filing on 26.07.2022. The same not being on record, Mr. Pattnaik files hard copy of the said counter affidavit which be kept on record.
3. Mr. B. Satapathy, learned counsel for the O.P. No.5 submits that he is yet to receive the copy of the counter filed by the State. Mr. Pattnaik undertakes to supply a copy of the counter affidavit to Mr. Satapathy. He further submits that his client, who has been arrayed as O.P. No.5 in the writ petition, has preferred W.P.(C) No.5914 of 2016 for implementation of the order dated 16.11.2015 passed in favour of his client by the Block Development Officer, Khaira which is impugned in this writ petition.
4. Mr. Das, learned counsel for the petitioner submits that his client has not been arrayed as Opposite Party to the said writ petition and if the said writ petition will

be allowed in favour of the present Opposite Party No.5 (petitioner in W.P.(C) No.5914 of 2016), his client will be disengaged and rightly this Court, while issuing notice to the O.Ps., as an interim, vide order dated 15.07.2016 directed that the engagement of the petitioner shall not be dispensed with without leave of this Court. He further submits that he has a right to know the prayer made by the O.P. No.5 in W.P.(C) No.5914 of 2016 so also the stand taken by the State-O.Ps. in the said writ petition.

5. In view of such submission made by Mr. Das, learned counsel for the petitioner, learned counsel for the O.P. No.5 so also State-O.Ps. are directed to supply photocopy of the writ petition so also counter affidavit filed in W.P.(C) No.5914 of 2016 to Mr. Das by tomorrow (29.03.2023).

6. Mr. Pattnaik, learned Additional Government Advocate submits that the counter affidavit filed in W.P.(C) No.5914 of 2016 has already been supplied to Mr. Das, learned counsel for the petitioner.

7. Matter be listed along with W.P.(C) No.5914 of 2016 in the week commencing from 10th April, 2023 under the heading "For Admission" for final disposal.

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