

(2023) 06 OHC CK 0032
In the Orissa High Court
Case No : Writ Petition (C) No. 18081 Of 2023

S. Padmanavam

APPELLANT

Vs

State of Odisha & Ors

RESPONDENT

Date of Decision : 08-06-2023

Acts Referred:

Citation : (2023) 06 OHC CK 0032

Hon'ble Judges : Biraja Prasanna Satapathy, J

Bench : Single Bench

Advocate : P.K. Khuntia, R.N. Mishra, P.K. Tripathy

Final Decision : Disposed Of

Judgement

Biraja Prasanna Satapathy, J

1. This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.
2. Heard Mr. P.K. Khuntia, learned counsel for the Petitioner, Mr. R.N. Mishra, learned AGA appearing for the State and Mr. P.K. Tripathy, learned counsel has instruction to appear on behalf of O.P. No. 3.
3. On instruction Mr. Tripathy contended that since while submitting the written statement of defence to the memorandum under Annexure-4, the Petitioner has admitted to the charges, no proceeding is required to be initiated and accordingly Annexure-5 has been issued which the Petitioner challenges in the present writ petition.
4. Mr. Tripathy also brought to the notice of this Court the admission made by the Petitioner in Para 5 of the written statement so filed by him under Annexure-4.
5. This Court after going through the same finds that the stand taken in Para 5 is not in the nature of admission. Therefore, this Court is of the view that the proceeding initiated against the Petitioner is required to be conducted in

accordance with law and Annexure-5 so issued by the Opp. Parties cannot sustain in the eye of law. Therefore, this Court is inclined to quash Annexure-5 and while quashing the same directs the Opp. Parties to conclude the proceeding in accordance with law.

6. The writ petition is disposed of accordingly.

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