
(2023) 02 OHC CK 0112

In the Orissa High Court

Case No : Writ Petition (C) No. 3276 Of 2018

Sangram Kumar Mohanty

APPELLANT

Vs

State Of Orissa And Others

RESPONDENT

Date of Decision : 16-02-2023

Acts Referred:

Citation : (2023) 02 OHC CK 0112

Hon'ble Judges : Dr. S. Muralidhar, CJ; M.S.Raman, J

Bench : Division Bench

Advocate : Lalatendu Kanungo, Debakanta Mohanty

Final Decision : Disposed Of

Judgement

1. The Petitioner has challenged the demand notice dated 3rd February, 2018 (Annexure-2), whereby the Government has raised the demand on the basis of audit objection.
2. From the record, it is seen that the impugned demand notice was issued without following the due procedure of law.
3. In that view of the matter, it is directed that the impugned demand notice (Annexure-2) be treated as notice on the Petitioner and it will be open to the Petitioner to file a reply to the said demand notice within a period of two weeks hence before the Opposite Party-Government. If such reply is filed by the Petitioner along with certified copy of this order, the State Government will decide the same in accordance with law and pass a reasoned order not later than 17th April, 2023, preferably after hearing the Petitioner, and the decision be communicated to the Petitioner not later than 24th April, 2023. Till then, no recovery will be made from the Petitioner. If the Petitioner is aggrieved by such decision, it will be open to him to seek appropriate remedies in accordance with law.
4. The writ petition is disposed of in the above terms.

5. It is made clear that this Court has not expressed any opinion on the merits of the case.

6. An urgent certified copy of this order be issued as per rules.

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