IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P.(C) No.28376 of 2026
CNR No. ODHC010680342026

Dr. Chinmaya Kar ***Petitioner***

....

Mr. A. Mishra, Advocate

-versus-

State of Odisha & Ors. ***Opposite Parties***

....

Mr. A. Tripathy, ASC

CORAM:
JUSTICE BIRAJA PRASANNA SATAPATHY

ORDER

Order No. **10.09.2026**

01. **1.** This matter is taken up through Hybrid Arrangement (Virtual/Physical) Mode.

2. Heard learned counsel appearing for the parties.

3. The present Writ Petition has been filed *inter alia* with the following prayer: -

> *"Under these facts and circumstances, it is most humbly prayed therefore, that this Hon'ble Court may graciously be pleased to quash notice no. 235/Director, VIMSAR, Burla, dated 19.05.2026at annexure-6 and subsequent letter no. 427 dated 25.08.2026 at annexure-9 issued by 0pp. party no-3, so far it relates to the petitioner who is continuing in the post of Assistant professor in the department of General Surgery, VIMSAR, Burla.*
>
> *And further be pleased to direct 0pp. party no. 3 and 4 to allow the petitioner to continue in post of Assistant professor in the department of General Surgery, VIMSAR, Burla till the same is filled up on regular basis and as the benefits has been extended to similarly placed doctors vide order no. 301 dated 19.06.2026 under annexure-8.*
>
> *Or in the alternative pass any other order/orders as deem fit and proper in this case.*
>
> *And for the said act of kindness, the petitioner as in duty bound shall ever pray."*

4. It is contended that on the face of the impugned notice though similarly situated doctors have been allowed to continue in the establishment of Opposite Party Nos.3 and 4, but Petitioner has been discriminated.

5. Learned Addl. Government Advocate for the State on the other hand contended that if similarly situated doctors on the face of the impugned notice have been allowed to continue, Petitioner can very well make his grievance before Opposite Party No.3.

6. Having heard learned counsel appearing for the Parties and considering the submissions made, it is observed that if any such application will be moved claiming parity before Opposite Party No.3 within a period of seven (7) days from the date of receipt of this order, Opposite Party No.3 shall take a lawful decision on the same within a period of two (2) weeks. Till a decision is taken, no coercive action be taken against the Petitioner.

7. Accordingly, the Writ Petition stands disposed of.

(Biraja Prasanna Satapathy)
Judge

Nitu Prava

Signature Not Verified
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Signed by: NITU PRAVA PRUSTY
Reason: Authentication
Location: OHC, Cuttack
Date: 11-Sep-2026 16:13:09