

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P. (C) No.10864 of 2009

Abhay Kumar Mohanty

....

Petitioner

None

Versus

1.State of Orissa

2.Director, Higher Education, Orissa

3.Durga Prasanna Nanda

4.R.K.Rout

**5.G.B.of Kandarpur College,
Kandarpur**

....

Opp. Parties

Mr. S.S.Pradhan, AGA

(O.Ps 1 and 2)

None (Opp. Parties 3 to 5)

CORAM:

JUSTICE SAVITRI RATHO

ORDER

12.07.2022

Order No.

12.

This matter is taken up by hybrid mode.

2. This writ petition has been filed in the year, 2009 for quashing of the order dated 27.03.2009 (Annexure-6) issued by the Deputy Secretary to Government in its Department of Higher Education, Govt. of Orissa. By the said order, the petition filed by one Durga Prasan Nanda, Ex-Principal, Kandarpur College, Kandarpur, Cuttack had been enclosed and the Deputy Secretary to Government had requested the Director, Higher Education, Orissa to hold up the payment of promotion arrears of the petitioner, Reader in English, Principal-in-charge of Kandarpur College, Cuttack and to conduct an enquiry into the contents of the petition and furnish a report for further action at Government level.
3. Notice was issued in this case on 6.8.2009 and interim order has been passed to the effect that no coercive action shall be taken against the petitioner without leave of this Court.

4. None appears for the petitioner or the Opp. Party No.3 when the matter is called, though counter and rejoinder affidavits have been filed.

5. Considering the nature of relief claimed, the fact that more than thirteen years have elapsed in the meanwhile, steps for substitution of Opp. Party No.4 have not been taken, and the fact that the petitioner has attained the age of superannuation since more than twelve years, the writ petition is dismissed as infructuous.

6. Urgent certified copy of this order be granted as per rules.

Bichi

