

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P (C) No.9611 of 2017

State of Odisha and others

.....

Petitioners

Mr. B.P.Tripathy, AGA

Vs.

*Madhab Padhy (since died) and the
legal heirs*

.....

Opposite Parties

Mr.S.Senapati, Adv.

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

29.04.2022

Order No.

17.

This matter is taken up through hybrid mode.

2. Heard Mr.B.P.Tripathy, learned Addl. Government Advocate for the petitioners-State and Mr.S.Senapati, learned counsel for the legal heirs of deceased opp. party-Madhab Padhy.

3. The State-petitioners have filed this writ petition challenging the order dated 07.09.2016 passed by the Orissa Administrative Tribunal, Principal Bench, Bhubaneswar in O.A. No.1268 of 2014 under Annexure-3 and further seeks for a direction to quash the said order.

4. Mr. B.P.Tripathy, learned Addl. Government Advocate contended that when disciplinary proceeding has been initiated against the opp. party, the tribunal due to non-compliance of order of the Government, quashed the order of transfer as well as the order of suspension in favour of the opp. party. Against that order, the State and its functionaries have preferred this writ petition. In the meantime, i.e., on 26.04.2019, the opp. party has expired, as such the proceeding which was initiated against him for non-compliance of the order passed by government, stands abated.

5. In such view of the matter, nothing more to be adjudicated here. Consequently the writ petition is disposed of.

6. So far as claim made by opp. party with regard to other financial benefits, it is open for the legal heirs of the opp. party to pursue their remedy before the appropriate forum, if they so advised.

Arun/Bichi

(DR. B.R. SARANGI)
JUDGE

(SAVITRI RATHO)
JUDGE

