

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 12057 of 2014

State of Orissa and others

.....

Petitioners

Mr. B.P. Tripathy, AGA.

Vs.

Banabasi Panigrahi

.....

Opposite Parties

Mr. P.K. Mohapatra, Adv.

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

15.03.2022

Order No.

5.

This matter is taken up through hybrid mode.

2. Heard Mr. B.P. Tripathy, learned Addl. Government Advocate for the petitioners-State and Mr. P.K. Mohapatra, learned counsel for opposite party.

3. The petitioners-State have filed this writ petition challenging the order dated 08.12.2011 passed by the Odisha Administrative Tribunal, Bhubaneswar in R.P. No.12 of 2012 and L.P. No.25 of 2012 arising out of O.A. No. 347 of 2009.

4. As it appears, though Odisha Administrative Tribunal, Bhubaneswar passed the impugned order on 08.12.2011, but the State-opposite parties have preferred this writ petition on 25.06.2014, i.e., after long lapse of more than two and half years, which shows that the State is not vigilant of his own conduct. More so, when the matter was listed on 01.08.2014, this Court directed to remove the defects pointed out by the Stamp Reporter, but till date defect pointed out by the Stamp Reporter has not been removed. As a consequence thereof, vide order dated 06.09.2014, the matter was dismissed for default. Consequentially, CMAPL No. 17 of 2015 was filed and pursuant to order dated 05.05.2015,

the writ petition was restored to original number. Thereafter, when the matter was listed on 02.03.2016, as requested by learned State Counsel, it was adjourned and, as such, thereafter, no step was taken to get the matter listed.

5. Mr. B.P. Tripathy, learned Addl. Government Advocate prays that the matter may be disposed of on merit.

6. In view of the above circumstances, since this is an year old matter, this Court is not inclined to entertain this writ petition at this belated stage, as the writ petition suffers from delay and laches and in view of the judgment/order of this Court in the case of *State of Odisha v. Surama Manjari Das* (W.P.(C) No. 15763 of 2021 dismissed on 16.07.2021).

6. Accordingly, the writ petition merits no consideration and the same is hereby dismissed.

(DR. B.R. SARANGI)
JUDGE

(SAVITRI RATHO)
JUDGE

Ashok/Puspa