

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 3665 of 2021

State of Odisha & Another

.....

Petitioners

Mr.B.P. Tripathy, AGA

Vs.

Sunil Kumar Sahu and others

.....

Opposite Parties

Mr. B.S. Tripathy-1, Adv.

(For O.P. Nos.1 and 2)

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

16.05.2022

Order No.

08.

This matter is taken up through hybrid mode.

2. Mr. B.S. Tripathy-1, learned counsel files Vakalatnama on behalf of the opposite party nos.1 and 2 in Court today after taking consent from the previous counsel. The same be kept on record.

3. The names of M/s. B.S. Tripathy-1 and associates be indicated as the counsel of opposite party nos.1 and 2 in the cause list.

4. Heard Mr. B.P. Tripathy, learned Additional Government Advocate for the State-petitioners and Mr. B.S. Tripathy-1, learned counsel for the opposite party nos.1 and 2.

5. Challenging the common order dated 12.04.2017 passed by the Odisha Administrative Tribunal, Cuttack Bench, Cuttack in O.A. No. 2253(C) of 2016 and batch cases, the petitioners have approached this Court by filing this writ petition.

6. As it appears, though Odisha Administrative Tribunal, Cuttack Bench, Cuttack passed the impugned order on 12.04.2017, but the State-opposite parties have preferred this writ petition on 29.01.2021, i.e., after long lapse of more than three years nine months, which shows that the State is not vigilant of its own conduct.

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

8. Such a contention is rejected. This Court is not inclined to entertain this writ petition at this belated stage, as the writ petition suffers from delay and laches, 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).

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

(DR. B.R. SARANGI)
JUDGE

(SAVITRI RATHO)
JUDGE

Ashok/Bichi

