

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No. 2647 of 2014

State of Odisha & Ors.

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Petitioner

Mr. A.K. Mishra, AGA

Vs.

Senapati Behera & Ors.

.....

Opposite parties

*A.N. Pattanayak, Advocate
(O.Ps.1 & 4 to 6)*

CORAM:

**DR. JUSTICE B.R. SARANGI
MISS JUSTICE SAVITRI RATHO**

ORDER

16.03.2022

Order No.

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This matter is taken up through hybrid mode.

2. Heard Mr. A.K. Mishra, learned Additional Government Advocate for the State-petitioners.

3. The State-petitioners have filed this writ petition challenging the order dated 16.11.2011 passed by the Odisha Administrative Tribunal, Cuttack Bench, Cuttack in O.A. No.588(C) of 2002 vide Annexure-4, by which the tribunal has set aside the order of retrenchment passed by the State-petitioners and directed that the opposite parties, who are continuing by virtue of interim protection of the tribunal, may be allowed to continue and their cases for regularization taken up in accordance with the order dated 02.02.2010 as per their turn and seniority and appropriate orders in the matter be passed within a period of three months from the date of receipt of the order.

4. Mr. A.K. Mishra, learned Additional Government Advocate for the State-petitioners contended that once the services of the opposite parties have been terminated, they are not entitled to get the benefit. Therefore, the Tribunal has not committed any error in passing the order impugned so as to cause interference of this Court.

5. Perused the record. It appears that this writ petition was filed in the year 2014 against the order dated 16.11.2011 passed by the Odisha Administrative Tribunal in O.A. No.588(C) of 2002. As such, the writ petition suffers from delay and laches. Otherwise on merits also, the opposite parties were given appointment under the Rehabilitation Assistance Scheme and subsequently, they were retrenched due to lack of work, and they were continuing by virtue of interim order passed by the tribunal. In the meantime, more than 20 years have passed from the date of filing the O.A. in the tribunal. Therefore, this Court is not inclined to entertain this writ petition and accordingly, the same is dismissed.

Alok

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(**DR. B.R. SARANGI**)
JUDGE

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(**SAVITRI RATHO**)
JUDGE