

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 12054 of 2014

State of Orissa

.....

Petitioner

Mr. A.K. Mishra, AGA.

Vs.

Sarat Chandra Behera

.....

Opposite Party

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

06.04.2022

Order No.

3.

This matter is taken up through hybrid mode.

2. Heard Mr. A.K. Mishra, learned Addl. Government Advocate for the petitioner-State.

3. The State has filed this writ petition challenging the order dated 29.10.2009 passed by the Odisha Administrative Tribunal, Cuttack Bench, Cuttack in O.A. No. 1812(C) of 2000.

4. As it appears, though Odisha Administrative Tribunal, Cuttack Bench, Cuttack passed the impugned order on 29.10.2009, but the State has preferred this writ petition on 03.07.2014, i.e., after long lapse of more than four and half years, which shows that the State is not vigilant of its own cause. More so, when the matter was listed on 14.08.2015, this Court directed to remove the defects pointed out by the Stamp Reporter, but till date such defects have not been removed.

5. Mr. A.K. Mishra, learned Addl. Government Advocate prays that the matter may be disposed of on merit.

6. Such a contention is rejected. Since this is a year old case, 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).

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

(DR. B.R. SARANGI)
JUDGE

Alok/Puspa

(SAVITRI RATHO)
JUDGE

