

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P (C) No. 5644 of 2022

State of Odisha Ors.

.....

Petitioner

Mr. A.K. Mishra, AGA

Vs.

Rabindra Kumar Mohapatra

.....

Opposite Parties

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

18.04.2022

Order No.

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This matter is taken up through hybrid mode.

2. Heard Mr. A.K. Mishra, learned Additional Government Advocate.

3. Mr. A.K. Mishra, learned Additional Government Advocate for the State-petitioners, on being asked by this Court, contended that the State has not challenged the order dated 04.01.2018 passed by the Odisha Administrative Tribunal, Bhubaneswar in O.A. No.726 of 2013 in terms of which O.A. No.378 of 2019 was allowed by order dated 28.01.2019, which is subject-matter of challenge in this writ petition. As such, Mr. S.N. Patnaik, learned counsel, who was appearing for the applicant in O.A. No. 726 of 2013 and coincidentally present in the Court, stated that the order passed by the tribunal in the said O.A. has been implemented by the State authorities.

4. Since the order dated 04.01.2018 passed by the tribunal in O.A. No.726 of 2013 has been implemented by the State authorities, it is not open for them to challenge the order dated 28.01.2019, which was passed in O.A. No.378 of 2019 in terms

of the order dated 04.01.2018 passed in O.A. No.726 of 2013. Accordingly, the writ petition filed by the State merits no consideration and the same is hereby dismissed.

(DR. B.R. SARANGI)
JUDGE

Alok/Puspa

(SAVITRI RATHO)
JUDGE