

IN THE HIGH COURT OF ORISSA AT CUTTACK

W.P.(C) No.12689 of 2016

Dr. Bimal Kumar Panda

.....

Petitioner

Mr. U.C. Mohanty, Advocate

Vs.

**Odisha State Administrative
Tribunal, Cuttack Bench,
Cuttack & Ors.**

.....

Opposite Parties

Mr. A.K. Mishra, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MR. JUSTICE B.P. SATAPATHY

ORDER

15.12.2022

Order No.

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This matter is taken up through Hybrid mode.

2. Heard Mr. U.C. Mohanty, learned counsel appearing for the petitioner and Mr. A.K. Mishra, learned Additional Government Advocate appearing for the State-opposite parties.

3. The petitioner has filed this writ petition seeking following reliefs:

“i) Issue appropriate Writ/Writs in the nature of certiorari and accordingly modify and set aside the part of the common judgment at Paragraph 26 & 27 (i) (iii) dtd. 19.5.16 passed in O.A. No.513(C) of 2008 under Annexure-16 and direct the State- Opp.Parties to regularise the services of the petitioner as a Demonstrator/ Lecturer w.e.f. 1.5.99 alongwith all consequential service benefits thereof in his favour.

ii) To issue appropriate direction in directing the State-Opp. Parties No. 2 to 5 to declare the gradation list dtd. 17.3.08, prepared in favour of Dr. Bijayalaxmi Pattnaik and Dr. B.K. Harichandan as Demonstrators without facing in the recruitment test as invalid and inoperative in the eye of law as such quash the same”.

4. In course of hearing, learned counsel for the petitioner states that so far as first prayer is concerned, the petitioner has accepted the finding given by the Tribunal, vide order dated 19.09.2022 in O.A. No.513(C) of 2009, but so far as observation made in paragraph- 27 (iii) of the said order, the petitioner will pursue his case before the appropriate forum.

5. The petitioner filed an additional affidavit on 08.05.2022 and in response to same, opposite parties no.2 & 3 filed an affidavit on 22.07.2022.

6. Learned counsel appearing for the petitioner by filing a memo in Court today states that the petitioner may be permitted to withdraw this writ petition with a liberty to pursue his remedy before the appropriate forum. The memo so filed in Court today be kept on record.

7. In view of the above, the writ petition stands disposed of as withdrawn granting liberty as aforesaid.

(DR. B.R. SARANGI)
JUDGE

(B. P. SATAPATHY)
JUDGE

Alok