

IN THE HIGH COURT OF ORISSA AT CUTTACK
W.P (C) No.15947 of 2016

Saroj Kumar Dash

.....

Petitioner

None

Vs.

State of Odisha and others

.....

Opposite Parties

Mr. B.P.Tripathy, AGA

CORAM:

DR. JUSTICE B.R. SARANGI

MISS JUSTICE SAVITRI RATHO

ORDER

06.05.2022

Order No.

06.

This matter is taken up through hybrid mode.

2. None appears for the petitioner at the time of call. Mr.B.P.Tripathy, learned Addl. Government Advocate is present.

3. The petitioner files this writ petition challenging the order dated 05.02.2014 passed by the Odisha Administrative Tribunal, Cuttack Bench, Cuttack in O.A. No.4416 (C) of 1997, by which the tribunal disposed of the matter as infructuous, in view of the submissions made by the State Counsel that the subject-matter of the case is relating to the position of the petitioner in the final gradation list. When the said O.A. was filed, the petitioner was aged about 46 years and as such in the meantime 16 years have passed and that he must be aged about 62 years and must have retired from services on attaining the age of superannuation. In that view of the matter, as on date, no cause of action subsists for entertaining the relief as has been sought for by the petitioner in the O.A.

4. Since there is no error apparent on the face of the order of the tribunal, this Court is not inclined to interfere with the same.

5. Accordingly, the writ petition stands dismissed.

(DR. B.R. SARANGI)
JUDGE

Arun/Bichi

(SAVITRI RATHO)
JUDGE

